Imam An-Nasa'i
Ahmad ibn Ali ibn Shu'aib
(215-303H=830-915 J.C)

SUNAN AN-NASA'I

(The fifth correct Tradition of the Prophetic Sunna)

سنن النسائي

Translated by
Mohammad Mahdi al-Sharif

English-Arabic Text

Volume III

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(24) THE BOOK OF CEREMONIES OF HAJJ

[70] Garlanding The Sacrificial Animal With A Pair Of Sandals

2788- It is narrated on the authority of Ibn Abbas that when Allah's Apostle "Allah's blessing and peace be upon him" was at Dhul-Hulaifah, he pierced his sacrificial camel in the right side of its hump to make a sign there, from which he removed the blood with his finger, and then he garlanded it with a pair of sandals; and then he rode his she-camel, and when it got up right with him on Al-Baida', he started reciting Talbiyah and assumed Ihram for Hajj at the time (he offered the prayer of) Zhuhr.

[71] When One Garlands His Sacrifice: Should He Assume Ihram?

2789- It is narrated on the authority of Jabir that whenever they were present with Allah's Apostle "Allah's blessing and peace be upon him" in Medina, and anyone (of them) sent sacrificial animals: one could assume Ihram if he so liked, and one could not do if he so liked.

[72] Does Garlanding Sacrifice Make Assuming Ihram Obligatory?

2790- It is narrated on the authority of A'ishah that she said: I twisted with my own hand the garlands of the sacrificial animals of the Messenger of Allah "Allah's blessing and peace be upon him". Then, the Messenger of Allah "Allah's blessing and peace be upon him" garlanded them with his own hand, and sent them with my father (to the House) and the Messenger of Allah "Allah's blessing and peace be upon him" did not leave anything made lawful for him by Allah Almighty (as a non-Muhrim) until the sacrifices were slaughtered.

2791- It is narrated on the authority of A'ishah that she said: I twisted the garlands of the sacrificial animals of the Messenger of Allah "Allah's blessing and peace be upon him" and he did not abstain from what such as in the state of Ihram should abstain from.

2792- It is narrated on the authority of A'ishah that she said: I twisted the garlands of the sacrificial animals of the Messenger of Allah "Allah's blessing and peace be upon him" and he did not abstain from anything (from which such as in the state of Ihram should abstain); and we do not know that anything could cause one to finish from Hajj, and put off Ihram other than the (Ifadah) circumambulation round the House.

2793- It is narrated on the authority of A'ishah that she said: I twisted the garlands of the sacrificial animals of the Messenger of Allah "Allah's blessing and peace be upon him", and the sacrificial animals were brought

بِسْمِ اللَّهِ الرَّحْمَٰنِ الرَّحِيمِ

(24) ـ كِتَابُ مَنَاسِكِ الحَجِّ

(70) ـ تَقْلِيدُ الهَدْيِ نَعْلَيْنِ

2788 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا ٱبْنُ عُلَيَّةَ قَالَ: حَدَّثَنَا هِشَامٌ الدَّسْتَوَائِيُّ عَنْ قَتَادَةَ عَنْ أَبِي حَسَّانَ الأَعْرَجِ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ لَمَّا أَتَى ذَا الْحُلَيْفَةَ أَشْعَرَ الْهَدْيَ مِنْ جَانِبِ السَّنَامِ الأَيْمَنِ ثُمَّ أَمَاطَ عَنْهُ الدَّمَ ثُمَّ قَلَّدَهُ نَعْلَيْنِ ثُمَّ رَكِبَ نَاقَتَهُ فَلَمَّا ٱسْتَوَتْ بِهِ الْبَيْدَاءُ أَحْرَمَ بِالْحَجِّ وَأَحْرَمَ عِنْدَ الظُّهْرِ وَأَهَلَّ بِالْحَجِّ.

(71) ـ هل يُحْرِمُ إذا قَلَّدَ؟

2789 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ: أَنَّهُمْ كَانُوا إِذَا كَانُوا حَاضِرِينَ مَعَ رَسُولِ ٱللَّهِ ﷺ بِالْمَدِينَةِ بَعَثَ بِالْهَدْيِ فَمَنْ شَاءَ أَحْرَمَ وَمَنْ شَاءَ تَرَكَ.

(72) ـ هل يُوجِبُ تَقْلِيدُ الهَدْيِ إحْرَاماً؟

2790 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ عَنْ مَالِكٍ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي بَكْرٍ عَنْ عَمْرَةَ عَنْ عَائِشَةَ قَالَتْ: كُنْتُ أَفْتِلُ قَلاَئِدَ هَدْيِ رَسُولِ ٱللَّهِ ﷺ بِيَدَيَّ ثُمَّ يُقَلِّدُهَا رَسُولُ ٱللَّهِ ﷺ بِيَدِهِ ثُمَّ يَبْعَثُ بِهَا مَعَ أَبِي فَلاَ يَدَعُ رَسُولُ ٱللَّهِ ﷺ شَيْئاً أَحَلَّهُ ٱللَّهُ عَزَّ وَجَلَّ لَهُ حَتَّى يَنْحَرَ الْهَدْيَ.

2791 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ وَقُتَيْبَةُ عَنْ سُفْيَانَ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: كُنْتُ أَفْتِلُ قَلاَئِدَ هَدْيِ رَسُولِ ٱللَّهِ ﷺ ثُمَّ لاَ يَجْتَنِبُ شَيْئاً مِمَّا يَجْتَنِبُهُ الْمُحْرِمُ.

2792 ـ أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: سَمِعْتُ عَبْدَ الرَّحْمٰنِ بْنَ الْقَاسِمِ يُحَدِّثُ عَنْ أَبِيهِ قَالَ: قَالَتْ عَائِشَةُ: كُنْتُ أَفْتِلُ قَلاَئِدَ هَدْيِ رَسُولِ ٱللَّهِ ﷺ فَلاَ يَجْتَنِبُ شَيْئاً وَلاَ نَعْلَمُ الْحَجَّ يُحِلُّهُ إِلاَّ الطَّوَافُ بِالْبَيْتِ.

2793 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا أَبُو الأَحْوَصِ عَنْ أَبِي إِسْحَاقَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ قَالَتْ: كُنْتُ لأَفْتِلُ قَلاَئِدَ هَدْيِ رَسُولِ ٱللَّهِ ﷺ وَيُخْرِجُ بِالْهَدْيِ مُقَلَّداً

out as garlanded (to be sent to the House), and the Messenger of Allah "Allah's blessing and peace be upon him" remained (in Medina), and did not abstain from approaching his wives.

2794- It is narrated on the authority of A'ishah that she said: I saw myself having twisted the garlands of the sheep offered as sacrifices by the Messenger of Allah "Allah's blessing and peace be upon him". Then, he sent them (to the House) and stayed among us as a non-Muhrim.

[73] Driving The Sacrificial Animals

2795- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" drove sacrificial animals during his Hajj.

[74] Riding The Sacrificial Camel

2796- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" saw a man driving a sacrificial camel, thereupon he said to him: "Ride it!" he said: "O Messenger of Allah! It is a sacrifice!" he said to him: "Ride it!" (He said) in the second or the third time: "Ride it) might Allah bestow His Mercy upon you!"

2797- It is narrated on the authority of Anas that the Messenger of Allah "Allah's blessing and peace be upon him" saw a man driving a sacrificial camel, thereupon he said to him: "Ride it!" he said: "It is a sacrifice!" he said to him: "Ride it!" he said: "It is a sacrifice!" he said to him in the fourth time: "Ride it! Might Allah bestow His Mercy upon you!"

[75] Such As Is Troubled By Walking Could Ride A Sacrificial Camel

2798- It is narrated on the authority of Anas that the Messenger of Allah "Allah's blessing and peace be upon him" saw a man driving a sacrificial camel, and he was troubled because of walking, thereupon he said: "Ride it!" he said: "It is a sacrifice!" he said: "Ride it even though it is a sacrifice."

[76] Riding A Sacrificial Camel Fairly

2799- It is narrated on the authority of Jabir that he was asked about riding a sacrificial camel, thereupon he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Ride it fairly if you are forced to do so until you find a mount."

وَرَسُولُ ٱللَّهِ ﷺ مُقِيمٌ مَا يَمْتَنِعُ مِنْ نِسَائِهِ.

2794 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ قُدَامَةَ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مَنْصُورٍ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ قَالَتْ: لَقَدْ رَأَيْتُنِي أَفْتِلُ قَلاَئِدَ هَدْيِ رَسُولِ ٱللَّهِ ﷺ مِنَ الْغَنَمِ فَيَبْعَثُ بِهَا ثُمَّ يُقِيمُ فِينَا حَلاَلاً.

(73) ـ سَوْقُ الهَدْيِ

2795 ـ أَخْبَرَنَا عِمْرَانُ بْنُ يَزِيدَ قَالَ: أَنْبَأَنَا شُعَيْبُ بْنُ إِسْحَاقَ قَالَ: أَنْبَأَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي جَعْفَرُ بْنُ مُحَمَّدٍ عَنْ أَبِيهِ سَمِعَهُ يُحَدِّثُ عَنْ جَابِرٍ أَنَّهُ سَمِعَهُ يُحَدِّثُ: «أَنَّ النَّبِيَّ ﷺ سَاقَ هَدْياً فِي حَجِّهِ».

(74) ـ رُكُوبُ البَدَنَةِ

2796 ـ أَخْبَرَنَا قُتَيْبَةُ عَنْ مَالِكٍ عَنْ أَبِي الزِّنَادِ عَنِ الأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ رَأَى رَجُلاً يَسُوقُ بَدَنَةً قَالَ: «**ٱرْكَبْهَا**» قَالَ: يَا رَسُولَ ٱللَّهِ إِنَّهَا بَدَنَةٌ قَالَ: «**ٱرْكَبْهَا وَيْلَكَ**». فِي الثَّانِيَةِ أَوْ فِي الثَّالِثَةِ.

2797 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدَةُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ عَنْ أَنَسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ رَأَى رَجُلاً يَسُوقُ بَدَنَةً فَقَالَ: «**ٱرْكَبْهَا**» قَالَ: إِنَّهَا بَدَنَةٌ قَالَ: «**ٱرْكَبْهَا**» قَالَ: إِنَّهَا بَدَنَةٌ قَالَ فِي الرَّابِعَةِ: «**ٱرْكَبْهَا وَيْلَكَ**».

(75) ـ رُكُوبُ البَدَنَةِ لِمَنْ جَهِدَهُ المَشْيُ

2798 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا حُمَيْدٌ عَنْ ثَابِتٍ عَنْ أَنَسٍ: أَنَّ النَّبِيَّ ﷺ رَأَى رَجُلاً يَسُوقُ بَدَنَةً وَقَدْ جَهَدَهُ الْمَشْيُ قَالَ: «**ٱرْكَبْهَا**» قَالَ: إِنَّهَا بَدَنَةٌ قَالَ: «**ٱرْكَبْهَا وَإِنْ كَانَتْ بَدَنَةً**».

(76) ـ رُكُوبُ البَدَنَةِ بِالمَعْرُوفِ

2799 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي أَبُو الزُّبَيْرِ قَالَ: سَمِعْتُ جَابِرَ بْنَ عَبْدِ ٱللَّهِ يَسْأَلُ عَنْ رُكُوبِ الْبَدَنَةِ فَقَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**ٱرْكَبْهَا بِالْمَعْرُوفِ إِذَا أُلْجِئْتَ إِلَيْهَا حَتَّى تَجِدَ ظَهْراً**».

[77] It Is Permissible To Put Off One's Ihram Of Hajj By Making It Only For Umrah In Case He Has No Sacrificial Animal With Him

2800- It is narrated on the authority of A'ishah that she said: We went out with the Prophet "Allah's blessing and peace be upon him" (from Medina) with the sole intention of performing Hajj only. When we reached Mecca we circumambulated the House (of Ka'bah) and then the Prophet "Allah's blessing and peace be upon him" ordered those who had not driven the sacrificial animals along with them to finish their Ihram. So the people who had not driven the sacrificing animals along with them finished their Ihram. The Prophet's wives too had not driven the sacrifices with them, so they too finished their Ihram. A'ishah added: I got my menses and could not circumambulate the House (of Ka'bah). So when it was the night of Hasbah (when we stopped at Al-Muhassab), I said: "O Allah's Apostle! Everyone is returning after performing Hajj and Umrah but I am returning after performing Hajj only. " He said: "Didn't you circumambulate the House (of Ka'bah) on the night we reached Mecca?" I replied in the negative. He said: "Go with your brother to Tan'im and assume the Ihram for Umrah. Then come back to such and such a place."

2801- It is narrated on the authority of A'ishah that she said: We went out with the Prophet "Allah's blessing and peace be upon him" (from Medina) with the sole intention of performing Hajj only. When we were about to reach Mecca, the Prophet "Allah's blessing and peace be upon him" ordered those who had driven sacrificial animals with them to remain on their state of Ihram, and those who had not driven the sacrificial animals along with them to finish their Ihram.

2802- It is narrated on the authority of Jabir Ibn Abdullah that he said: We, the Companions of (The Prophet) Muhammad "Allah's blessing and peace be upon him", assumed Ihram for Hajj only, and we had but the sole intention to perform Hajj. We then came in the morning of the fourth of Dhul-Hijjah when the Messenger of Allah "Allah's blessing and peace be upon him" ordered us to put off Ihram and make (the ceremonies we had offered for) Umrah. Then, he came to know that We said: "When only five days remained to Arafat, he (the Prophet) ordered us to put off Ihram and thus (we would be able to have sexual intercourse with our wives and in this case) we would reach Mina with our male organs dribbling water (of semen in view of the time closeness of sexual relations with our wives)." the Messenger of Allah "Allah's blessing and peace be upon him" stood among us and said: "I've been informed of what you have said, and I am the most

(77) ـ إباحةُ فَسْخِ الحَجِّ بعُمْرَةٍ لمن لم يَسُقِ الهَدْيَ

2800 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ قُدَامَةَ عَنْ جَرِيرٍ عَنْ مَنْصُورٍ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ قَالَتْ: خَرَجْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ وَلاَ نُرَى إِلاَّ الْحَجَّ فَلَمَّا قَدِمْنَا مَكَّةَ طُفْنَا بِالْبَيْتِ أَمَرَ رَسُولُ ٱللَّهِ ﷺ مَنْ لَمْ يَكُنْ سَاقَ الْهَدْيَ أَنْ يَحِلَّ فَحَلَّ مَنْ لَمْ يَكُنْ سَاقَ الْهَدْيَ وَنِسَاؤُهُ لَمْ يَسُقْنَ فَأَحْلَلْنَ قَالَتْ عَائِشَةُ: فَحِضْتُ فَلَمْ أَطُفْ بِالْبَيْتِ فَلَمَّا كَانَتْ لَيْلَةُ الْحَصْبَةِ قُلْتُ: يَا رَسُولَ ٱللَّهِ يَرْجِعُ النَّاسُ بِعُمْرَةٍ وَحَجَّةٍ وَأَرْجِعُ أَنَا بِحَجَّةٍ قَالَ: **«أَوَ مَا كُنْتِ طُفْتِ لَيَالِي قَدِمْنَا مَكَّةَ؟»** قُلْتُ: لاَ قَالَ: **«فَاذْهَبِي مَعَ أَخِيكِ إِلَى التَّنْعِيمِ فَأَهِلِّي بِعُمْرَةٍ ثُمَّ مَوْعِدُكِ مَكَانَ كَذَا وَكَذَا»**.

2801 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى عَنْ يَحْيَى عَنْ عَمْرَةَ عَنْ عَائِشَةَ قَالَتْ: خَرَجْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ لاَ نُرَى إِلاَّ أَنَّهُ الْحَجُّ فَلَمَّا دَنَوْنَا مِنْ مَكَّةَ أَمَرَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ كَانَ مَعَهُ هَدْيٌ أَنْ يُقِيمَ عَلَى إِحْرَامِهِ وَمَنْ لَمْ يَكُنْ مَعَهُ هَدْيٌ أَنْ يَحِلَّ»**.

2802 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا ٱبْنُ عُلَيَّةَ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي عَطَاءٌ عَنْ جَابِرٍ قَالَ: أَهْلَلْنَا أَصْحَابَ النَّبِيِّ ﷺ بِالْحَجِّ خَالِصاً لَيْسَ مَعَهُ غَيْرُهُ خَالِصاً وَحْدَهُ فَقَدِمْنَا مَكَّةَ صَبِيحَةَ رَابِعَةٍ مَضَتْ مِنْ ذِي الْحِجَّةِ فَأَمَرَنَا النَّبِيُّ ﷺ فَقَالَ: **«أَحِلُّوا وَٱجْعَلُوهَا عُمْرَةً»** فَبَلَغَهُ عَنَّا أَنَّا نَقُولُ لَمَّا لَمْ يَكُنْ بَيْنَنَا وَبَيْنَ عَرَفَةَ إِلاَّ خَمْسٌ أَمَرَنَا أَنْ نَحِلَّ فَنَرُوحَ إِلَى مِنًى وَمَذَاكِيرُنَا تَقْطُرُ مِنَ الْمَنِيِّ فَقَامَ النَّبِيُّ ﷺ فَخَطَبَنَا فَقَالَ: **«قَدْ بَلَغَنِي الَّذِي قُلْتُمْ وَإِنِّي لأَبَرُّكُمْ وَأَتْقَاكُمْ وَلَوْلاَ الْهَدْيُ لَحَلَلْتُ وَلَوِ**

Allah-fearing, the most truthful and the most pious among you. Had I not brought the sacrificial animals with me, I would also have put off Ihram as you have put off. Had I known earlier what I have come to know later, I would not have brought sacrificial animals with me." At the same time, Ali came from Yemen. He (the Prophet) asked: "For what did you assume Ihram (i.e. for Hajj and Umrah together or Hajj and Umrah separately)?" He said: "I assumed Ihram with the same intention as that of the Messenger of Allah "Allah's blessing and peace be upon him"." Thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Offer a sacrificial animal, and keep on the state of Ihram." Suraqah Ibn Malik Ibn Ju'shum said: "O Messenger of Allah! Is it (this concession of putting off Ihram of Hajj for Umrah) to be held valid only this year, or is it held valid perpetually?" He said: "It is held valid perpetually."

2803- It is narrated on the authority of Suraqah Ibn Malik Ibn Ju'shum that he said: "O Messenger of Allah! Is it (this concession of putting off Ihram of Hajj for Umrah) to be held valid only this year, or is it held valid perpetually?" He said: "It is held valid perpetually."

2804- It is narrated on the authority of Suraqah Ibn Malik Ibn Ju'shum that he said: the Messenger of Allah "Allah's blessing and peace be upon him" continued Umrah on to Hajj, and so did we with him. We asked him: "Is it (Umrah which we offered during the days of Hajj) to be held valid only for us (this time), or is it held valid perpetually?" He said: "It is held valid perpetually."

2805- It is narrated on the authority of Al-Harith Ibn Bilal from his father that he said: I said: "O Messenger of Allah! Is (the concession of) putting off the Ihram of Hajj (and making the ceremonies we offered only for Umrah) for us in particular or is it for all the people in general?" he said: "It is for us in particular."

2806- It is narrated on the authority of Abu Dharr that he said, in reference to the Mut'ah of Hajj (i.e. to put on Ihram for Umrah and Hajj separately): "It was a concession given to us in particular."

2807- It is narrated on the authority of Abu Dharr that he said, in reference to the Mut'ah of Hajj (i.e. to put on Ihram for Umrah and Hajj separately): "It is not for you, nor do you have anything to do with it, for indeed, it was a concession given to us in particular, the companions of Muhammad "Allah's blessing and peace be upon him"."

2808- It is narrated on the authority of Abu Dharr that he said: The Mut'ah (of Hajj, i.e. to put on Ihram for Umrah and Hajj separately) was a concession given to us in particular.

ٱسْتَقْبَلْتُ مِنْ أَمْرِي مَا ٱسْتَدْبَرْتُ مَا أَهْدَيْتُ» قَالَ: وَقَدِمَ عَلِيٌّ مِنَ الْيَمَنِ فَقَالَ: **«بِمَا أَهْلَلْتَ؟»** قَالَ: بِمَا أَهَلَّ بِهِ النَّبِيُّ ﷺ قَالَ: **«فَأَهْدِ وَٱمْكُثْ حَرَاماً كَمَا أَنْتَ»** قَالَ: وَقَالَ سرَاقَةُ بْنُ مَالِكِ بْنِ جَعْشَمٍ: يَا رَسُولَ ٱللَّهِ أَرَأَيْتَ عُمْرَتَنَا هٰذِهِ لِعَامِنَا هٰذَا أَوْ لِلأَبَدِ؟ قَالَ: **«هِيَ لِلأَبَدِ»**.

2803 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَبْدِ الْمَلِكِ عَنْ طَاوُسٍ عَنْ سُرَاقَةَ بْنِ مَالِكِ بْنِ جَعْشَمَ أَنَّهُ قَالَ: يَا رَسُولَ ٱللَّهِ أَرَأَيْتَ عُمْرَتَنَا هٰذِهِ لِعَامِنَا أَمْ لأَبَدٍ؟ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«هِيَ لأَبَدٍ»**.

2804 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ عَبْدَةَ عَنِ ٱبْنِ أَبِي عَرُوبَةَ عَنْ مَالِكِ بْنِ دِينَارٍ عَنْ عَطَاءٍ قَالَ: قَالَ سُرَاقَةُ: تَمَتَّعَ رَسُولُ ٱللَّهِ ﷺ وَتَمَتَّعْنَا مَعَهُ فَقُلْنَا: أَلَنَا خَاصَّةً أَمْ لأَبَدٍ؟ قَالَ: **«بَلْ لأَبَدٍ»**.

2805 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الْعَزِيزِ وَهُوَ الدَّرَاوَرْدِيُّ عَنْ رَبِيعَةَ بْنِ أَبِي عَبْدِ الرَّحْمٰنِ عَنِ الْحَارِثِ بْنِ بِلاَلٍ عَنْ أَبِيهِ قَالَ: قُلْتُ يَا رَسُولَ ٱللَّهِ أَفَسْخُ الْحَجِّ لَنَا خَاصَّةً أَمْ لِلنَّاسِ عَامَّةً؟ قَالَ: **«بَلْ لَنَا خَاصَّةً»**.

2806 ـ أَخْبَرَنَا عَمْرُو بْنُ يَزِيدَ عَنْ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الأَعْمَشِ وَعَيَّاشٌ الْعَامِرِيُّ عَنْ إِبْرَاهِيمَ التَّيْمِيِّ عَنْ أَبِيهِ عَنْ أَبِي ذَرٍّ فِي مُتْعَةِ الْحَجِّ قَالَ: «كَانَتْ لَنَا رُخْصَةً».

2807 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى وَمُحَمَّدُ بْنُ بَشَّارٍ قَالاَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: سَمِعْتُ عَبْدَ الْوَارِثِ بْنَ أَبِي حَنِيفَةَ قَالَ: سَمِعْتُ إِبْرَاهِيمَ التَّيْمِيَّ يُحَدِّثُ عَنْ أَبِيهِ عَنْ أَبِي ذَرٍّ قَالَ فِي مُتْعَةِ الْحَجِّ: لَيْسَتْ لَكُمْ وَلَسْتُمْ مِنْهَا فِي شَيْءٍ إِنَّمَا كَانَتْ رُخْصَةً لَنَا أَصْحَابَ مُحَمَّدٍ ﷺ.

2808 ـ أَخْبَرَنَا بِشْرُ بْنُ خَالِدٍ قَالَ: أَنْبَأَنَا غُنْدَرٌ عَنْ شُعْبَةَ عَنْ سُلَيْمَانَ عَنْ إِبْرَاهِيمَ التَّيْمِيِّ عَنْ أَبِيهِ عَنْ أَبِي ذَرٍّ قَالَ: كَانَتِ الْمُتْعَةُ رُخْصَةً لَنَا.

2809- It is narrated on the authority of Abd Ar-Rahman Ibn Abu Ash-Sha'tha' that he said: I was in the company of both Ibrahim An-Nakh'i and Ibrahim At-Taimi when I said: "I intended to put on Ihram for Umrah and Hajj separately this year." Ibrahim said: "Had your father been (living) surely, he would not have done so." Ibrahim At-Taimi narrated from his father from Abu Dharr that he said: The Mut'ah (of Hajj, i.e. to put on Ihram for Umrah and Hajj separately) was a concession given to us in particular.

2810- It is narrated on the authority of Ibn Abbas that he said: The people (of the Pre-Islamic Period) used to think that to perform Umrah during the months of Hajj was one of the major sins on earth. They also used to consider the month of Safar as a forbidden (Sacred) month (instead of Muharram) and they used to say: "When the wounds of the camel's backs heal up (after they return from Hajj), the hair of the riding mounts (removed by virtue of the wind during the journey) grow more, and the month of Safar passes away (or enters upon), by then Umrah is permissible for the one who wishes to perform it." In the morning of the fourth of Dhul-Hijjah, The Prophet "Allah's blessing and peace be upon him" and his companions reached Mecca, assuming Ihram for Hajj. But he ordered his companions to make it (the intention of Ihram) for Umrah only (instead of Hajj). So, they considered his order as something grievous and were puzzled, and said: "O Allah's Apostle! What kind of putting off Ihram is allowed?" The Prophet "Allah's blessing and peace be upon him" replied: "Put off Ihram completely (like a non-Muhrim who is allowed everything)."

2811- It is narrated on the authority of Ibn Abbas that he said: the Messenger of Allah "Allah's blessing and peace be upon him" assumed Ihram for Umrah (jointly with Hajj), and his companions assumed Ihram for Hajj only, and he ordered such as had no sacrificial animals to put off Ihram. Talhah Ibn Ubaidullah and another man were of those who had no sacrificial animals, thereupon they put off Ihram.

2812- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "This is Umrah, which we've continued on to Hajj: so, whoever has no sacrificial animal, let him put off Ihram completely, since the (ceremonies of) Umrah have been merged into (those of) Hajj."

[78] Which Game Is Permissible For Such As In The State Of Ihram To Eat

2813- It is narrated on the authority of Abu Qatadah That he was in the company of The Messenger of Allah "Allah's blessing and peace be upon

2809 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ قَالَ: حَدَّثَنَا مُفَضَّلُ بْنُ مُهَلْهَلٍ عَنْ بَيَانٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي الشَّعْثَاءِ قَالَ: كُنْتُ مَعَ إِبْرَاهِيمَ النَّخَعِيِّ وَإِبْرَاهِيمَ التَّيْمِيِّ فَقُلْتُ: لَقَدْ هَمَمْتُ أَنْ أَجْمَعَ الْعَامَ الْحَجَّ وَالْعُمْرَةَ فَقَالَ إِبْرَاهِيمُ: لَوْ كَانَ أَبُوكَ لَمْ يَهُمَّ بِذٰلِكَ قَالَ وَقَالَ إِبْرَاهِيمُ التَّيْمِيُّ عَنْ أَبِيهِ عَنْ أَبِي ذَرٍّ قَالَ: إِنَّمَا كَانَتِ الْمُتْعَةُ لَنَا خَاصَّةً.

2810 ـ أَخْبَرَنَا عَبْدُ الأَعْلَى بْنُ وَاصِلِ بْنِ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا أَبُو أُسَامَةَ عَنْ وُهَيْبِ بْنِ خَالِدٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ طَاوُسٍ عَنْ أَبِيهِ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: كَانُوا يُرَوْنَ أَنَّ الْعُمْرَةَ فِي أَشْهُرِ الْحَجِّ مِنْ أَفْجَرِ الْفُجُورِ فِي الأَرْضِ وَيَجْعَلُونَ الْمُحَرَّمَ صَفَرَ وَيَقُولُونَ إِذَا بَرَأَ الدَّبَرُ وَعَفَا الْوَبَرُ وَٱنْسَلَخَ صَفَرُ أَوْ قَالَ دَخَلَ صَفَرُ فَقَدْ حَلَّتِ الْعُمْرَةُ لِمَنِ ٱعْتَمَرَ فَقَدِمَ النَّبِيُّ ﷺ وَأَصْحَابُهُ صَبِيحَةَ رَابِعَةٍ مُهِلِّينَ بِالْحَجِّ فَأَمَرَهُمْ أَنْ يَجْعَلُوهَا عُمْرَةً فَتَعَاظَمَ ذٰلِكَ عِنْدَهُمْ فَقَالُوا: يَا رَسُولَ ٱللَّهِ أَيُّ الحِلِّ؟ قَالَ: **«الْحِلُّ كُلُّهُ»**.

2811 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ مُسْلِمٍ وَهُوَ الْقُرِّيُّ قَالَ: سَمِعْتُ ٱبْنَ عَبَّاسٍ يَقُولُ: أَهَلَّ رَسُولُ ٱللَّهِ ﷺ بِالْعُمْرَةِ وَأَهَلَّ أَصْحَابُهُ بِالْحَجِّ وَأَمَرَ مَنْ لَمْ يَكُنْ مَعَهُ الْهَدْيُ أَنْ يَحِلَّ وَكَانَ فِيمَنْ لَمْ يَكُنْ مَعَهُ الْهَدْيُ طَلْحَةُ بْنُ عُبَيْدِ ٱللَّهِ وَرَجُلٌ آخَرُ فَأَحَلاَّ.

2812 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنِ الْحَكَمِ عَنْ مُجَاهِدٍ عَنِ ٱبْنِ عَبَّاسٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«هٰذِهِ عُمْرَةٌ ٱسْتَمْتَعْنَاهَا فَمَنْ لَمْ يَكُنْ عِنْدَهُ هَدْيٌ فَلْيَحِلَّ الْحِلَّ كُلَّهُ فَقَدْ دَخَلَتِ الْعُمْرَةُ فِي الْحَجِّ»**.

(78) ـ ما يَجُوزُ للمُحْرِمِ أَكْلُهُ من الصَّيْدِ

2813 ـ أَخْبَرَنَا قُتَيْبَةُ عَنْ مَالِكٍ عَنْ أَبِي النَّضْرِ عَنْ نَافِعٍ مَوْلَى أَبِي قَتَادَةَ عَنْ أَبِي قَتَادَةَ أَنَّهُ كَانَ مَعَ رَسُولِ ٱللَّهِ ﷺ حَتَّى إِذَا كَانَ بِبَعْضِ طَرِيقِ مَكَّةَ تَخَلَّفَ مَعَ

him". When they covered a portion of the road to Mecca, he and some of the companions lagged behind. The latter were in a state of Ihram, while he (Abu Qatadah) was not. Saw an onager, he rode his horse and requested his companions to give him his lash but they refused. Then he asked them to give him his spear but they refused. So he inclined to it and took it by himself, attacked the onager, and killed it. Some of the companions of The Prophet "Allah's blessing and peace be upon him" ate of it while some others refused to eat. When they caught up with The Messenger of Allah "Allah's blessing and peace be upon him" they asked him about that. He said: "That was a meal with which Allah fed you."

2814- It is narrated on the authority of Mu'adh Ibn Abd Ar-Rahman At-Taimi from his father that he said: We were in the company of Talhah Ibn Ubaidullah while being in the state of Ihram when (the flesh of) a bird was presented to him and he was sleeping, thereupon some of us ate and others refrained from eating. When he woke up, he regarded as right those who ate and said: "No doubt, we ate a similar one while we were (in the state of Ihram) with The Messenger of Allah "Allah's blessing and peace be upon him"."

2815- It is narrated on the authority of Al-Bahzi that once, The Messenger of Allah "Allah's blessing and peace be upon him" set out with the intention to go to Mecca, and he was in the state of Ihram; and when he reached Rawha', behold! There was a hamstrung onager. A mention of that was made to The Messenger of Allah "Allah's blessing and peace be upon him", who said: "Leave it, for its owner is about to come." Al-Bahzi, its owner, went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah "Allah's blessing and peace be upon you"! It is up to you to do as you like with this onager." On that The Messenger of Allah "Allah's blessing and peace be upon him" ordered Abu Bakr to distribute its (flesh) among the companions. He proceeded on till he was in the way between Uthayah and Arj, behold! There was a deer curving in posture under the shade (of a tree), with an arrow in its body, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" ordered somebody to stand near it, so that none of the people would disturb it until it was surpassed.

[79] Which Game Is Impermissible For Such As In The State Of Ihram To Eat

2816- It is narrated on the authority of Ibn Abbas that As-Sa'b Ibn Jaththamah presented an onager to Allah's Apostle "Allah's blessing and peace be upon him" while he was at Al-Abwa' or at Waddan, who refused it. On noticing the signs of some unpleasant feeling of disappointment on

أَصْحَابٍ لَهُ مُحْرِمِينَ وَهُوَ غَيْرُ مُحْرِمٍ وَرَأَى حِمَاراً وَحْشِيّاً فَاسْتَوَى عَلَى فَرَسِهِ ثُمَّ سَأَلَ أَصْحَابَهُ أَنْ يُنَاوِلُوهُ سَوْطَهُ فَأَبَوْا فَسَأَلَهُمْ رُمْحَهُ فَأَبَوْا فَأَخَذَهُ ثُمَّ شَدَّ عَلَى الْحِمَارِ فَقَتَلَهُ فَأَكَلَ مِنْهُ بَعْضُ أَصْحَابِ النَّبِيِّ ﷺ وَأَبَى بَعْضُهُمْ فَأَدْرَكُوا رَسُولَ ٱللَّهِ ﷺ فَسَأَلُوهُ عَنْ ذٰلِكَ فَقَالَ: «**إِنَّمَا هِيَ طُعْمَةٌ أَطْعَمَكُمُوهَا ٱللَّهُ عَزَّ وَجَلَّ**».

2814 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ الْمُنْكَدِرِ عَنْ مُعَاذِ بْنِ عَبْدِ الرَّحْمٰنِ التَّيْمِيِّ عَنْ أَبِيهِ قَالَ: كُنَّا مَعَ طَلْحَةَ بْنِ عُبَيْدِ ٱللَّهِ وَنَحْنُ مُحْرِمُونَ فَأُهْدِيَ لَهُ طَيْرٌ وَهُوَ رَاقِدٌ فَأَكَلَ بَعْضُنَا وَتَوَرَّعَ بَعْضُنَا فَاسْتَيْقَظَ طَلْحَةُ فَوَفَّقَ مَنْ أَكَلَهُ وَقَالَ: أَكَلْنَاهُ مَعَ رَسُولِ ٱللَّهِ ﷺ.

2815 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لَهُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ يَحْيَى بْنِ سَعِيدٍ قَالَ: أَخْبَرَنِي مُحَمَّدُ بْنُ إِبْرَاهِيمَ بْنِ الْحَارِثِ عَنْ عِيسَى بْنِ طَلْحَةَ عَنْ عُمَيْرِ بْنِ سَلَمَةَ الضَّمْرِيِّ أَنَّهُ أَخْبَرَهُ عَنِ الْبَهْزِيِّ: أَنَّ رَسُولَ ٱللَّهِ ﷺ خَرَجَ يُرِيدُ مَكَّةَ وَهُوَ مُحْرِمٌ حَتَّى إِذَا كَانُوا بِالرَّوْحَاءِ إِذَا حِمَارُ وَحْشٍ عَقِيرٌ فَذُكِرَ ذٰلِكَ لِرَسُولِ ٱللَّهِ ﷺ فَقَالَ: «**دَعُوهُ فَإِنَّهُ يُوشِكُ أَنْ يَأْتِيَ صَاحِبُهُ**» فَجَاءَ الْبَهْزِيُّ وَهُوَ صَاحِبُهُ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ صَلَّى اللَّهُ عَلَيْكَ وَسَلَّمَ شَأْنُكُمْ بِهٰذَا الْحِمَارِ فَأَمَرَ رَسُولُ ٱللَّهِ ﷺ أَبَا بَكْرٍ فَقَسَمَهُ بَيْنَ الرِّفَاقِ، ثُمَّ مَضَى حَتَّى إِذَا كَانَ بِالأُثَايَةِ، بَيْنَ الرُّوَيْثَةِ وَالْعَرْجِ إِذَا ظَبْيٌ حَاقِفٌ فِي ظِلٍّ وَفِيهِ سَهْمٌ فَزَعَمَ أَنَّ رَسُولَ ٱللَّهِ ﷺ أَمَرَ رَجُلاً يَقِفُ عِنْدَهُ لاَ يُرِيبُهُ أَحَدٌ مِنَ النَّاسِ حَتَّى يُجَاوِزَهُ.

(79) ـ ما لا يَجُوزُ للمُحْرِمِ أَكْلُهُ من الصَّيْدِ

2816 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ عَنْ مَالِكٍ عَنِ ٱبْنِ شِهَابٍ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ عَنْ عَبْدِ ٱللَّهِ بْنِ عَبَّاسٍ عَنِ الصَّعْبِ بْنِ جَثَّامَةَ: أَنَّهُ أَهْدَى لِرَسُولِ ٱللَّهِ ﷺ حِمَارَ وَحْشٍ وَهُوَ بِالأَبْوَاءِ أَوْ بِوَدَّانَ فَرَدَّهُ عَلَيْهِ رَسُولُ ٱللَّهِ ﷺ

his (As-Sa'b's) face, The Prophet "Allah's blessing and peace be upon him" said to him: "I have only returned it because I am in the state of Ihram."

2817- It is narrated on the authority of Ibn Abbas from As-Sa'b Ibn Jaththamah that Allah's Apostle "Allah's blessing and peace be upon him" proceeded on until he reached Waddan, where (he presented) an onager, which he returned back to him and said: "We are in such a state of Ihram as we do not eat (the flesh of) a game."

2818- It is narrated on the authority of Ibn Abbas that he said to Zaid Ibn Arqam: "Have you not learnt that a piece of (the flesh of) a game was presented to Allah's Apostle "Allah's blessing and peace be upon him", and he was in the state of Ihram, thereupon he rejected it?" he answered in the affirmative. It is further narrated on the authority of Tawus from Ibn Abbas that once Zaid Ibn Arqam came, and Ibn Abbas said to him by way of recalling: "What have you told me about the (piece of the) flesh of a game which was presented to Allah's Apostle "Allah's blessing and peace be upon him" while he was in the state of Ihram?" he said: "Yes, a man presented to him a piece of the flesh of a game, which he rejected and said: "We do not eat (a game's flesh) as long as we are in the state of Ihram."

2819- It is narrated on the authority of Ibn Abbas that As-Sa'b Ibn Jaththamah presented the leg of an onager, dribbling blood to Allah's Apostle "Allah's blessing and peace be upon him" while he was at Qudaid, in a state of Ihram, thereupon he returned it back to him.

2820- It is narrated on the authority of Ibn Abbas that As-Sa'b Ibn Jaththamah presented an onager to Allah's Apostle "Allah's blessing and peace be upon him" while he was in the state of Ihram, thereupon he returned it back to him.

[80] When A Muhrim Laughs And A Non-Muhrim Becomes Attentive To A Game Which He Kills: Should The Former Eat Of It?

2821- It is narrated on the authority of Abdullah Ibn Abu Qatadah that he said: My father proceeded with The Prophet "Allah's blessing and peace be upon him" in the year of Al-Hudaibiyah and his companions assumed Ihram but he did not. He (Abu Qatadah) said: "While I was with My companions who started laughing among themselves, I looked and saw an onager. I stabbed (and killed) it. I wanted some help from my companions but they refused. (I slaughtered it all alone). We all ate from it. Then I followed Allah's Apostle "Allah's blessing and peace be upon him" lest we might be left behind. At times I urged my horse to run at a galloping speed, and at other times at an ordinary slow pace. On the way I met a man

فَلَمَّا رَأَى رَسُولُ ٱللَّهِ ﷺ مَا فِي وَجْهِي قَالَ: «أَمَا إِنَّهُ لَمْ نَرُدُّهُ عَلَيْكَ إِلاَّ أَنَّا حُرُمٌ».

2817 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنْ صَالِحِ بْنِ كَيْسَانَ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنِ ٱبْنِ عَبَّاسٍ عَنِ الصَّعْبِ بْنِ جَثَّامَةَ: أَنَّ النَّبِيَّ ﷺ أَقْبَلَ حَتَّى إِذَا كَانَ بِوَدَّانَ رَأَى حِمَارَ وَحْشٍ فَرَدَّهُ عَلَيْهِ وَقَالَ: «إِنَّا حُرُمٌ لاَ نَأْكُلُ الصَّيْدَ».

2818 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا عَفَّانُ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ قَالَ: أَنْبَأَنَا قَيْسُ بْنُ سَعْدٍ عَنْ عَطَاء أَنَّ ٱبْنَ عَبَّاسٍ قَالَ لِزَيْدِ بْنِ أَرْقَمَ: مَا عَلِمْتَ أَنَّ النَّبِيَّ ﷺ أُهْدِيَ لَهُ عُضْوُ صَيْدٍ وَهُوَ مُحْرِمٌ فَلَمْ يَقْبَلْهُ؟ قَالَ: نَعَمْ. أَخْبَرَنِي عَمْرُو بْنُ عَلِيٍّ قَالَ: سَمِعْتُ يَحْيَى وَسَمِعْتُ أَبَا عَاصِمٍ قَالاَ: حَدَّثَنَا ابْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي الْحَسَنُ بْنُ مُسْلِمٍ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَدِمَ زَيْدُ بْنُ أَرْقَمَ فَقَالَ لَهُ ٱبْنُ عَبَّاسٍ يَسْتَذْكِرُهُ: كَيْفَ أَخْبَرْتَنِي عَنْ لَحْمِ صَيْدٍ أُهْدِيَ لِرَسُولِ ٱللَّهِ ﷺ وَهُوَ حَرَامٌ؟ قَالَ: نَعَمْ أَهْدَى لَهُ رَجُلٌ عُضْواً مِنْ لَحْمِ صَيْدٍ فَرَدَّهُ وَقَالَ: «إِنَّا لاَ نَأْكُلُ إِنَّا حُرُمٌ».

2819 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ قُدَامَةَ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مَنْصُورٍ عَنِ الْحَكَمِ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: أَهْدَى الصَّعْبُ بْنُ جَثَّامَةَ إِلَى رَسُولِ ٱللَّهِ ﷺ رِجْلَ حِمَارِ وَحْشٍ تَقْطُرُ دَماً وَهُوَ مُحْرِمٌ وَهُوَ بِقُدَيْدٍ فَرَدَّهَا عَلَيْهِ.

2820 ـ أَخْبَرَنَا يُوسُفُ بْنُ حَمَّادٍ الْمَعْنِيُّ قَالَ: حَدَّثَنَا سُفْيَانُ بْنُ حَبِيبٍ عَنْ شُعْبَةَ عَنِ الْحَكَمِ وَحَبِيبٌ وَهُوَ ٱبْنُ أَبِي ثَابِتٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ الصَّعْبَ بْنَ جَثَّامَةَ أَهْدَى لِلنَّبِيِّ ﷺ حِماراً وَهُوَ مُحْرِمٌ فَرَدَّهُ عَلَيْهِ.

(80) ـ إذا ضَحِكَ المُحْرِمُ فَفَطِنَ الحَلالُ للصَّيْدِ فَقَتَلَهُ أَيَأْكُلُهُ أم لا؟

2821 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا هِشَامٌ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي قَتَادَةَ قَالَ: ٱنْطَلَقَ أَبِي مَعَ رَسُولِ ٱللَّهِ ﷺ عَامَ الْحُدَيْبِيَةِ فَأَحْرَمَ أَصْحَابُهُ وَلَمْ يُحْرِمْ فَبَيْنَمَا أَنَا مَعَ أَصْحَابِي ضَحِكَ بَعْضُهُمْ إِلَى بَعْضٍ فَنَظَرْتُ فَإِذَا حِمَارُ وَحْشٍ فَطَعَنْتُهُ فَاسْتَعَنْتُهُمْ فَأَبَوْا أَنْ يُعِينُونِي فَأَكَلْنَا مِنْ لَحْمِهِ وَخَشِينَا أَنْ نُقْتَطَعَ فَطَلَبْتُ رَسُولَ ٱللَّهِ ﷺ أُرَفِّعُ فَرَسِي شَأْواً وَأُسِيرُ شَأْواً فَلَقِيتُ رَجُلاً مِنْ غِفَارٍ

from the tribe of Banu Ghifar at midnight. I asked him where he had left Allah's Apostle "Allah's blessing and peace be upon him". The man replied that he had left him with the intention to have the midday rest at As-Suqya. So, I followed Allah's Apostle "Allah's blessing and peace be upon him" till I reached him and said: "O Allah's Apostle! I have been sent by my companions who send you their greetings and compliments and ask for Allah's Mercy and Blessings upon you. They were afraid that they would be left behind you; so please wait for them." So he did. Then I said: "O Allah's Apostle! I hunted an onager and I have some of it left over with me." Allah's Apostle "Allah's blessing and peace be upon him" told the people to eat (of it) although all of them were in the state of Ihram."

2822- It is narrated on the authority of Abdullah Ibn Abu Qatadah that his father told him that he took part with Allah's Apostle "Allah's blessing and peace be upon him" in the holy battle of Hudaibiyah. He said: They assumed Ihram for Umrah and I did not, and (since I was not in a state of Ihram, I) caught an onager, from which I fed my companions, who were in the state of Ihram. Then, I went to Allah's Apostle "Allah's blessing and peace be upon him" and told him that we still had something leftover of its flesh, and he ordered his companions to eat of it, even though they were in the state of Ihram.

[81] When Such As In The State Of Ihram Points To A Game, Which A Non-Muhrim Kills

2823- It is narrated on the authority of Abdullah Ibn Abu Qatadah from his father that he told that they were on journey with Allah's Apostle "Allah's blessing and peace be upon him", and some of them were in the state of Ihram and some were not. He said: I saw an onager, and (since I was not in a state of Ihram) I rode my horse, and took my spear, and when I sought their aid, they rejected to aid me. So, I deprived one of them of his spear, and I attacked the onager and killed it, and they ate of it. Then, they felt afraid (lest they might have committed something impermissible), and when Allah's Apostle "Allah's blessing and peace be upon him" was asked about that, he said: "Have you pointed (to it), or have you helped (him catch it)?" they answered in the negative, thereupon he told them to eat.

2824- It is narrated on the authority of Jabir that he said: I heard Allah's Apostle "Allah's blessing and peace be upon him" having said: "The land game is lawful for you to eat (even though you are in the state of Ihram) as long as you do not catch it, or it is not caught for you intentionally."

فِي جَوْفِ اللَّيْلِ فَقُلْتُ: أَيْنَ تَرَكْتَ رَسُولَ ٱللَّهِ ﷺ؟ قَالَ: تَرَكْتُهُ وَهُوَ قَائِلٌ بِالسُّقْيَا فَلَحِقْتُهُ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ إِنَّ أَصْحَابَكَ يَقْرَؤُونَ عَلَيْكَ السَّلَامَ وَرَحْمَةَ ٱللَّهِ وَإِنَّهُمْ قَدْ خَشَوْا أَنْ يُقْتَطَعُوا دُونَكَ فَٱنْتَظِرْهُمْ فَٱنْتَظَرَهُمْ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ إِنِّي أَصَبْتُ حِمَارَ وَحْشٍ وَعِنْدِي مِنْهُ فَقَالَ لِلْقَوْمِ: «**كُلُوا**» وَهُمْ مُحْرِمُونَ.

2822 ـ أَخْبَرَنِي عُبَيْدُ ٱللَّهِ بْنُ فَضَالَةَ بْنِ إِبْرَاهِيمَ النَّسَائِيُّ قَالَ: أَنْبَأَنَا مُحَمَّدٌ وَهُوَ ٱبْنُ الْمُبَارَكِ الصُّورِيُّ قَالَ: حَدَّثَنَا مُعَاوِيَةُ وَهُوَ ٱبْنُ سَلَّامٍ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ قَالَ: أَخْبَرَنِي عَبْدُ ٱللَّهِ بْنُ أَبِي قَتَادَةَ أَنَّ أَبَاهُ أَخْبَرَهُ أَنَّهُ غَزَا مَعَ رَسُولِ ٱللَّهِ ﷺ غَزْوَةَ الْحُدَيْبِيَةِ قَالَ: فَأَهَلُّوا بِعُمْرَةٍ غَيْرِي فَٱصْطَدْتُ حِمَارَ وَحْشٍ فَأَطْعَمْتُ أَصْحَابِي مِنْهُ وَهُمْ مُحْرِمُونَ ثُمَّ أَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَأَنْبَأْتُهُ أَنَّ عِنْدَنَا مِنْ لَحْمِهِ فَاضِلَةً فَقَالَ: «**كُلُوهُ**» وَهُمْ مُحْرِمُونَ.

(81) ـ إِذَا أَشَارَ الْمُحْرِمُ إِلَى الصَّيْدِ فَقَتَلَهُ الحَلَالُ

2823 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلَانَ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: أَنْبَأَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي عُثْمَانُ بْنُ عَبْدِ ٱللَّهِ بْنِ مَوْهَبٍ قَالَ: سَمِعْتُ عَبْدَ ٱللَّهِ بْنَ أَبِي قَتَادَةَ يُحَدِّثُ عَنْ أَبِيهِ أَنَّهُمْ كَانُوا فِي مَسِيرٍ لَهُمْ بَعْضُهُمْ مُحْرِمٌ وَبَعْضُهُمْ لَيْسَ بِمُحْرِمٍ قَالَ: فَرَأَيْتُ حِمَارَ وَحْشٍ فَرَكِبْتُ فَرَسِي وَأَخَذْتُ الرُّمْحَ فَٱسْتَعَنْتُهُمْ فَأَبَوْا أَنْ يُعِينُونِي فَٱخْتَلَسْتُ سَوْطاً مِنْ بَعْضِهِمْ فَشَدَدْتُ عَلَى الْحِمَارِ فَأَصَبْتُهُ فَأَكَلُوا مِنْهُ فَأَشْفَقُوا قَالَ: فَسُئِلَ عَنْ ذٰلِكَ النَّبِيُّ ﷺ فَقَالَ: «**هَلْ أَشَرْتُمْ أَوْ أَعَنْتُمْ؟**» قَالُوا: لَا قَالَ: «**فَكُلُوا**».

2824 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَعْقُوبُ وَهُوَ ٱبْنُ عَبْدِ الرَّحْمٰنِ عَنْ عَمْرٍو عَنِ الْمُطَّلِبِ عَنْ جَابِرٍ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**صَيْدُ الْبَرِّ لَكُمْ حَلَالٌ مَا لَمْ تَصِيدُوهُ أَوْ يُصَادَ لَكُمْ**».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: عَمْرُو بْنُ أَبِي عَمْرٍو لَيْسَ بِالْقَوِيِّ فِي الْحَدِيثِ وَإِنْ كَانَ قَدْ رَوَى عَنْهُ مَالِكٌ.

[82] Such Of Animals As A Muhrim Could Kill

2825- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are five kinds of animals, (all of which are vicious) and there is no harm upon a Muhrim who kills them. Those are: the crow, the kite, the scorpion, the mouse, and the rabid dog."

[83] Killing The Female-Snake

2826- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Five kinds of animals (are vicious and) should be killed even by such as in the state of Ihram. These are: The female-snake, the mouse, the kite, the speckled crow, and the rabid dog."

[84] Killing The Mouse

2827- It is narrated on the authority of Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" gave permission to such as in the state of Ihram to kill five kinds of animals: the crow, the kite, the mouse, the rabid dog, and the scorpion."

[85] Killing The Salamander

2828- It is narrated on the authority of Sa'id Ibn Al-Musayyab that a woman visited A'ishah while she was having a stick with a piece of iron in her hand. She asked her: "What is that?" she said: "It is for this salamander, for indeed, The Messenger of Allah "Allah's blessing and peace be upon him" told us that there was nothing but that it was extinguishing the fire from (the Prophet) Abraham "Peace be upon him" barring this (vicious salamander), and thus, he ordered us to kill it. He forbade us to kill the female-snakes living in houses, barring such as has stripes on its back, and the short-tailed snake, for indeed, they damage the eyesight, and cause miscarriage."

[86] Killing The Scorpion

2829- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are five kinds of animals, (all of which are vicious) and there is no harm upon such as kills them, even though he is in the state of Ihram. Those are: The kite, the mouse, the rabid dog, the scorpion, and the crow."

(82) ـ ما يَقْتُلُ المُحْرِمُ من الدَّوَابِّ
قَتْلُ الكَلْبِ العَقُورِ

2825 ـ أَخْبَرَنَا قُتَيْبَةُ عَنْ مَالِكٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«خَمْسٌ لَيْسَ عَلَى الْمُحْرِمِ فِي قَتْلِهِنَّ جُنَاحٌ الْغُرَابُ وَالْحِدَأَةُ وَالْعَقْرَبُ وَالْفَأْرَةُ وَالْكَلْبُ الْعَقُورُ»**.

(83) ـ قَتْلُ الحَيَّةِ

2826 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: حَدَّثَنَا قَتَادَةُ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ عَائِشَةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«خَمْسٌ يَقْتُلُهُنَّ الْمُحْرِمُ الْحَيَّةُ وَالْفَأْرَةُ وَالْحِدَأَةُ وَالْغُرَابُ الأَبْقَعُ وَالْكَلْبُ الْعَقُورُ»**.

(84) ـ قَتْلُ الفَأْرَةِ

2827 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ أَذِنَ فِي قَتْلِ خَمْسٍ مِنَ الدَّوَابِّ لِلْمُحْرِمِ: الْغُرَابِ، وَالْحَدَأَةِ وَالْفَأْرَةِ، وَالْكَلْبِ، الْعَقُورِ، وَالْعَقْرَبِ».

(85) ـ قَتْلُ الوَزَغِ

2828 ـ أَخْبَرَنِي أَبُو بَكْرِ بْنُ إِسْحَاقَ قَالَ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ مُحَمَّدِ بْنِ عَرْعَرَةَ قَالَ: حَدَّثَنَا مُعَاذُ بْنُ هِشَامٍ قَالَ: حَدَّثَنِي أَبِي عَنْ قَتَادَةَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ: أَنَّ ٱمْرَأَةً دَخَلَتْ عَلَى عَائِشَةَ وَبِيَدِهَا عُكَّازٌ فَقَالَتْ: مَا هٰذَا؟ فَقَالَتْ: لِهٰذِهِ الْوَزَغِ لأَنَّ نَبِيَّ ٱللَّهِ ﷺ حَدَّثَنَا أَنَّهُ لَمْ يَكُنْ شَيْءٌ إِلاَّ يُطْفِىءُ عَلَى إِبْرَاهِيمَ عَلَيْهِ السَّلاَمُ إِلاَّ هٰذِهِ الدَّابَّةُ فَأَمَرَنَا بِقَتْلِهَا، وَنَهَى عَنْ قَتْلِ الْجِنَّانِ إِلاَّ ذَا الطُّفْيَتَيْنِ، وَالأَبْتَرَ، فَإِنَّهُمَا يُطْمِسَانِ الْبَصَرَ وَيُسْقِطَانِ مَا فِي بُطُونِ النِّسَاءِ.

(86) ـ قَتْلُ العَقْرَبِ

2829 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ أَبُو قُدَامَةَ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ اللَّهِ قَالَ: أَخْبَرَنِي نَافِعٌ عَنِ ٱبْنِ عُمَرَ أَنَّ النَّبِيَّ ﷺ قَالَ: **«خَمْسٌ مِنَ الدَّوَابِّ لاَ جُنَاحَ عَلَى مَنْ قَتَلَهُنَّ أَوْ فِي قَتْلِهِنَّ وَهُوَ حَرَامٌ الْحِدَأَةُ وَالْفَأْرَةُ وَالْكَلْبُ الْعَقُورُ وَالْعَقْرَبُ وَالْغُرَابُ»**.

[87] Killing The Kite

2830- It is narrated on the authority of Ibn Umar that a man asked: "O Messenger of Allah! Which animals could we kill while we are in the state of Ihram?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are five kinds of animals, (all of which are vicious) and there is no harm upon such as kills them (even though he is in the state of Ihram). Those are: The kite, the crow, the mouse, the scorpion, and the rabid dog."

[88] Killing The Crow

2831- It is narrated on the authority of Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" was asked: "Which animals could such as in the state of Ihram kill?" He said: "Such could kill the scorpion, the wicked one (i.e. the mouse), The kite, the crow, and the rabid dog."

2832- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no harm upon him who kills five kinds of animals, in the Sanctuary or (even if their killer is) in the state of Ihram. Those are: the mouse, the kite, the crow, the scorpion, and the rabid dog."

[89] Such Of Animals As A Muhrim Should Not Kill

2833- It is narrated on the authority of Ibn Abu Ammar that he said: I asked Jabir Ibn Abdullah about the mastigure, thereupon he told me (that it is permissible) to eat it. I asked him: "Is it regarded as a kind of game (whose catching is unlawful for a Muhrim)?" he answered in the affirmative. I further asked him: "Have you heard that from The Messenger of Allah "Allah's blessing and peace be upon him"?" he answered in the affirmative.

[90] The Concession To Such As In The State Of Ihram To Marry

2834- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" married Maimunah while he was in the state of Ihram (but he did not consummate marriage with her until he put off Ihram).

2835- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" got married (to Maimunah) while he was in the state of Ihram (but he did not consummate marriage with her until he put off Ihram).

(87) ـ قَتْلُ الحِدَأَةِ

2830 ـ أَخْبَرَنَا زِيَادُ بنُ أَيُّوبَ قَالَ: حَدَّثَنَا ٱبْنُ عُلَيَّةَ قَالَ: أَنْبَأَنَا أَيُّوبُ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالَ: قَالَ رَجُلٌ يَا رَسُولَ ٱللَّهِ مَا نَقْتُلُ مِنَ الدَّوَابِّ إِذَا أَحْرَمْنَا؟ قَالَ: «**خَمْسٌ لاَ جُنَاحَ عَلَى مَنْ قَتَلَهُنَّ الْحِدَأَةُ وَالْغُرَابُ وَالْفَأْرَةُ وَالْعَقْرَبُ وَالْكَلْبُ الْعَقُورُ**».

(88) ـ قَتْلُ الغُرَابِ

2831 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: أَنَّ النَّبِيَّ ﷺ سُئِلَ مَا يَقْتُلُ الْمُحْرِمُ قَالَ: «**يَقْتُلُ الْعَقْرَبَ وَالْفُوَيْسِقَةَ وَالْحِدَأَةَ وَالْغُرَابَ وَالْكَلْبَ الْعَقُورَ**».

2832 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ الْمُقْرِىءُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ سَالِمٍ عَنْ أَبِيهِ قَالَ: قَالَ النَّبِيُّ ﷺ: «**خَمْسٌ مِنَ الدَّوَابِّ لاَ جُنَاحَ فِي قَتْلِهِنَّ عَلَى مَنْ قَتَلَهُنَّ فِي الْحَرَمِ وَالإِحْرَامِ الْفَأْرَةُ وَالْحِدَأَةُ وَالْغُرَابُ وَالْعَقْرَبُ وَالْكَلْبُ الْعَقُورُ**».

(89) ـ ما لا يَقْتُلُهُ المُحْرِمُ

2833 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي ٱبْنُ جُرَيْجٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عُبَيْدِ بْنِ عُمَيْرٍ عَنِ ٱبْنِ أَبِي عَمَّارٍ قَالَ: سَأَلْتُ جَابِرَ بْنَ عَبْدِ ٱللَّهِ عَنِ الضَّبُعِ فَأَمَرَنِي بِأَكْلِهَا قُلْتُ: أَصَيْدٌ هِيَ؟ قَالَ: نَعَمْ قُلْتُ: أَسَمِعْتَهُ مِنْ رَسُولِ ٱللَّهِ ﷺ؟ قَالَ: نَعَمْ.

(90) ـ الرُّخْصَةُ فِي النِّكَاحِ لِلْمُحْرِمِ

2834 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا دَاوُدُ وَهُوَ ٱبْنُ عَبْدِ الرَّحْمٰنِ الْعَطَّارُ عَنْ عَمْرٍو وَهُوَ ٱبْنُ دِينَارٍ قَالَ: سَمِعْتُ أَبَا الشَّعْثَاءِ يُحَدِّثُ عنِ ٱبْنِ عَبَّاسٍ قَالَ: تَزَوَّجَ النَّبِيُّ ﷺ مَيْمُونَةَ وَهُوَ مُحْرِمٌ.

2835 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: حَدَّثَنَا عَمْرُو بْنُ دِينَارٍ أَنَّ أَبَا الشَّعْثَاءِ حَدَّثَهُ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ نَكَحَ حَرَاماً.

2836- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" married Maimunah while they were in the state of Ihram (but he did not consummate marriage with her until he put off Ihram).

2837- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" married Maimunah while he was in the state of Ihram (but he did not consummate marriage with her until he put off Ihram).

2838- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" married Maimunah while he was in the state of Ihram (but he did not consummate marriage with her until he put off Ihram).

[91] It Is Forbidden To Do So

2839- It is narrated on the authority of Uthman Ibn Affan that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as in the state of Ihram should neither marry, nor betroth, nor give (any of such of women as under his guardianship) in marriage."

2840- It is narrated on the authority of Uthman Ibn Affan that The Messenger of Allah "Allah's blessing and peace be upon him" forbade that Such as in the state of Ihram should marry, or give (any of such of women as under his guardianship) in marriage, or propose to marry (until he puts off Ihram)."

2841- It is narrated on the authority of Nubaih Ibn Wahb that he said: Umar Ibn Ubaidullah sent (a message) to Aban Ibn Uthman, asking him: "Could such as in the state of Ihram marry?" Aban replied: Uthman Ibn Affan told that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as in the state of Ihram should neither marry, nor propose to marry."

[92] The Operation Of Cupping For Such As In A State Of Ihram

2842- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped while he was in the state of Ihram.

2843- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped while he was in the state of Ihram.

2836 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يُونُسَ بْنِ مُحَمَّدٍ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ حُمَيْدٍ عَنْ مُجَاهِدٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ تَزَوَّجَ مَيْمُونَةَ وَهُمَا مُحْرِمَانِ.

2837 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْحَاقَ الصَّاغَانِيُّ قَالَ: حَدَّثَنَا أَحْمَدُ بْنُ إِسْحَاقَ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ حُمَيْدٍ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ تَزَوَّجَ مَيْمُونَةَ وَهُوَ مُحْرِمٌ.

2838 ـ أَخْبَرَنِي شُعَيْبُ بْنُ شُعَيْبِ بْنِ إِسْحَاقَ وَصَفْوَانُ بْنُ عَمْرٍو الْحِمْصِيُّ قَالاَ: حَدَّثَنَا أَبُو الْمُغِيرَةِ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ النَّبِيَّ ﷺ تَزَوَّجَ مَيْمُونَةَ وَهُوَ مُحْرِمٌ.

(91) ـ النَّهْيُ عن ذلك

2839 ـ أَخْبَرَنَا قُتَيْبَةُ عَنْ مَالِكٍ عَنْ نَافِعٍ عَنْ نُبَيْهِ بْنِ وَهْبٍ أَنَّ أَبَانَ بْنَ عُثْمَانَ قَالَ: سَمِعْتُ عُثْمَانَ بْنَ عَفَّانَ يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ يَنْكِحُ الْمُحْرِمُ وَلاَ يَخْطُبُ وَلاَ يُنْكِحُ».

2840 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ مَالِكٍ أَخْبَرَنِي نَافِعٌ عَنْ نُبَيْهِ بْنِ وَهْبٍ عَنْ أَبَانَ بْنِ عُثْمَانَ عن أَبِيهِ عَنِ النَّبِيِّ ﷺ: أَنَّهُ نَهَى أَنْ يَنْكَحَ الْمُحْرِمُ أَوْ يُنْكِحَ أَوْ يَخْطُبَ.

2841 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ عَنْ سُفْيَانَ عَنْ أَيُّوبَ بْنِ مُوسَى عَنْ نُبَيْهِ بْنِ وَهْبٍ قَالَ: أَرْسَلَ عُمَرُ بْنُ عُبَيْدِ ٱللَّهِ بْنِ مَعْمَرٍ إِلَى أَبَانَ بْنِ عُثْمَانَ يَسْأَلُهُ أَيَنْكِحُ الْمُحْرِمُ؟ فَقَالَ أَبَانُ: إِنَّ عُثْمَانَ بْنَ عَفَّانَ حَدَّثَ أَنَّ النَّبِيَّ ﷺ قَالَ: «**لاَ يَنْكِحُ الْمُحْرِمُ وَلاَ يَخْطُبُ**».

(92) ـ الحِجَامَةُ للمُحْرِمِ

2842 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ أَبِي الزُّبَيْرِ عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ ٱحْتَجَمَ وَهُوَ مُحْرِمٌ.

2843 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو عَنْ طَاوُسٍ وَعَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ النَّبِيَّ ﷺ ٱحْتَجَمَ وَهُوَ مُحْرِمٌ.

2844- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped while he was in the state of Ihram. It is further narrated from Tawus that Ibn Abbas said: The Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped while he was in the state of Ihram.

[93] The Operation Of Cupping For Such As In The State Of Ihram Because Of A Certain Disease

2845- It is narrated on the authority of Jabir that The Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped while he was in the state of Ihram because of foot sprain.

[94] Such As In The State Of Ihram Gets Himself Cupped On The Back Of The Foot

2846- It is narrated on the authority of Anas that The Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped on the back of his foot while he was in the state of Ihram because of foot sprain.

[95] A Muhrim Gets Himself Cupped In The Middle Of His Head

2847- It is narrated on the authority of Abdullah Ibn Buhainah that he said: The Messenger of Allah "Allah's blessing and peace be upon him", while being in the state of Ihram, got himself cupped in the middle of his head at Liha Jamal (a place) on the way of Mecca.

[96] When A Muhrim Is Troubled By Lice In His Head

2848- It is narrated on the authority of Abd Ar-Rahman Ibn Abu Laila from Ka'b Ibn Ujrah that he was with The Messenger of Allah "Allah's blessing and peace be upon him" in the state of Ihram, (during the Farewell Hajj) when he was troubled by the lice in his head, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" ordered him to shave his head, and said: "Observe three fasts, (as ransom), or feed six indigent, each with two Mudds of foodstuff, or offer a sheep: whichever of those you do will be sufficient for you."

2849- It is narrated on the authority of Ka'b Ibn Ujrah that he said: I was in the state of Ihram (during the Farewell Hajj) when the lice grew much more in my head, and when the news of that reached The Messenger of Allah "Allah's blessing and peace be upon him", he came to me while I was cooking food in a vessel for my companions, and when he touched my head with his finger he said to me: "Go and shave your head, and give alms to six indigent."

2844 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ عَنْ سُفْيَانَ قَالَ: أَنْبَأَنَا عَمْرُو بْنُ دِينَارٍ قَالَ: سَمِعْتُ عَطَاءً قَالَ: سَمِعْتُ ٱبْنَ عَبَّاسٍ يَقُولُ: ٱحْتَجَمَ النَّبِيُّ ﷺ وَهُوَ مُحْرِمٌ ثُمَّ قَالَ بَعْدُ أَخْبَرَنِي طَاوُسٌ عَنِ ٱبْنِ عَبَّاسٍ يَقُولُ: ٱحْتَجَمَ النَّبِيُّ ﷺ وَهُوَ مُحْرِمٌ.

(93) ـ حِجَامَةُ المُحْرِمِ مِنْ عِلَّةٍ تَكُونُ بِه

2845 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا أَبُو الْوَلِيدِ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا أَبُو الزُّبَيْرِ عَنْ جَابِرٍ: أَنَّ النَّبِيَّ ﷺ ٱحْتَجَمَ وَهُوَ مُحْرِمٌ مِنْ وَثْءٍ كَانَ بِهِ.

(94) ـ حِجَامَةُ المُحْرِمِ على ظَهْرِ القَدَمِ

2846 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنْ قَتَادَةَ عَنْ أَنَسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ ٱحْتَجَمَ وَهُوَ مُحْرِمٌ عَلَى ظَهْرِ الْقَدَمِ مِنْ وَثْءٍ كَانَ بِهِ.

(95) ـ حجامة المُحْرِمِ وَسْطَ رَأْسِهِ

2847 ـ أَخْبَرَنِي هِلَالُ بْنُ بِشْرٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ خَالِدٍ وَهُوَ ٱبْنُ عَثْمَةَ قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ بِلَالٍ قَالَ: قَالَ عَلْقَمَةُ بْنُ أَبِي عَلْقَمَةَ: أَنَّهُ سَمِعَ الأَعْرَجَ قَالَ: سَمِعْتُ عَبْدَ ٱللَّهِ بْنَ بُحَيْنَةَ يُحَدِّثُ: أَنَّ رَسُولَ ٱللَّهِ ﷺ ٱحْتَجَمَ وَسْطَ رَأْسِهِ وَهُوَ مُحْرِمٌ بِلَحْيِ جَمَلٍ مِنْ طَرِيقِ مَكَّةَ.

(96) ـ في المُحْرِمِ يُؤْذِيهِ القَمْلُ في رَأْسِه

2848 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ عَبْدِ الْكَرِيمِ بْنِ مَالِكٍ الْجَزَرِيِّ عَنْ مُجَاهِدٍ عَنْ عَبْدِ الرَّحْمَٰنِ بْنِ أَبِي لَيْلَى عَنْ كَعْبِ بْنِ عُجْرَةَ: أَنَّهُ كَانَ مَعَ رَسُولِ ٱللَّهِ ﷺ مُحْرِماً فَآذَاهُ الْقَمْلُ فِي رَأْسِهِ فَأَمَرَهُ رَسُولُ ٱللَّهِ ﷺ أَنْ يَحْلِقَ رَأْسَهُ وَقَالَ: «**صُمْ ثَلَاثَةَ أَيَّامٍ أَوْ أَطْعِمْ سِتَّةَ مَسَاكِينَ مُدَّيْنِ مُدَّيْنِ أَوِ انْسُكْ شَاةً أَيَّ ذٰلِكَ فَعَلْتَ أَجْزَأَ عَنْكَ**».

2849 ـ أَخْبَرَنِي أَحْمَدُ بْنُ سَعِيدٍ الرِّبَاطِيُّ قَالَ: أَنْبَأَنَا عَبْدُ الرَّحْمَٰنِ بْنُ عَبْدِ ٱللَّهِ وَهُوَ الدَّشْتَكِيُّ قَالَ: أَنْبَأَنَا عَمْرٌو وَهُوَ ٱبْنُ أَبِي قَيْسٍ عَنِ الزُّبَيْرِ وَهُوَ ٱبْنُ عَدِيٍّ عَنْ أَبِي وَائِلٍ عَنْ كَعْبِ بْنِ عُجْرَةَ قَالَ: أَحْرَمْتُ فَكَثُرَ قَمْلُ رَأْسِي فَبَلَغَ ذٰلِكَ النَّبِيَّ ﷺ فَأَتَانِي وَأَنَا أَطْبُخُ قِدْراً لأَصْحَابِي فَمَسَّ رَأْسِي بِإِصْبَعِهِ فَقَالَ: «**ٱنْطَلِقْ فَٱحْلِقْهُ وَتَصَدَّقْ عَلَى سِتَّةِ مَسَاكِينَ**».

[97] Washing The Dead Body Of Such As In The State Of Ihram With The Infusion Of Lote Leaves

2850- It is narrated on the authority of Ibn Abbas that he said: While a man in the state of Ihram was (at Arafat) with The Messenger of Allah "Allah's blessing and peace be upon him", his neck got broken (as he fell down) from his she-camel. Consequently, he died. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Wash him with water mixed with fused leaves of lote tree and shroud him in his two pieces of clothing. Do neither perfume him, nor cover his head, for he will be resurrected on the Day of Judgement while pronouncing Talbiyah."

[98] How Many Garments In Which Should A Muhrim Be Shrouded In Case He Dies?

2851- It is narrated on the authority of Ibn Abbas that a man who was in the state of Ihram, fell down from his she-camel and his neck got broken. Consequently, he died. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Wash him with water mixed with fused leaves of lote tree and shroud him in two pieces of clothing." Then, he resumed: "And leave his head uncovered, and further do not perfume him, for he will be resurrected on the Day of Judgement while pronouncing Talbiyah." Shu'bah said: Ten years later, I asked him about the narration, and he related it similarly as he used to do, with the exception that he said: "nor cover his face and head..."

[99] It Is Forbidden To Perfume The Dead Body Of A Muhrim

2852- It is narrated on the authority of Ibn Abbas that he said: While a man (in the state of Ihram) was standing at Arafat with The Messenger of Allah "Allah's blessing and peace be upon him", he fell down from his riding mount and he died soon (since his neck got broken). The Messenger of Allah "Allah's blessing and peace be upon him" said: "Wash him with water mixed with fused leaves of lote tree and shroud him in two pieces of clothing. Do neither perfume him, nor cover his head, for Allah Almighty will resurrect him on the Day of Judgement while pronouncing Talbiyah."

2853- It is narrated on the authority of Ibn Abbas that he said: A man who was in a state of Ihram fell down from his she-camel, and his neck got broken, and thus he was killed. The Messenger of Allah "Allah's blessing and peace be upon him" was informed, and he said: "Wash his body and shroud him. Do neither cover his head nor apply perfume to his body, for he will be resurrected while pronouncing Talbiyah."

(97) ـ غَسْلُ المُحْرِمِ بالسِّدْرِ إذا مَاتَ

2850 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: أَنْبَأَنَا أَبُو بِشْرٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَجُلاً كَانَ مَعَ النَّبِيِّ ﷺ فَوَقَصَتْهُ نَاقَتُهُ وَهُوَ مُحْرِمٌ فَمَاتَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«ٱغْسِلُوهُ بِمَاءٍ وَسِدْرٍ وَكَفِّنُوهُ فِي ثَوْبَيْهِ وَلاَ تَمَسُّوهُ بِطِيبٍ وَلاَ تُخَمِّرُوا رَأْسَهُ فَإِنَّهُ يُبْعَثُ يَوْمَ الْقِيَامَةِ مُلَبِّياً»**.

(98) ـ في كم يُكَفَّنُ المُحْرِمُ إذا مَاتَ

2851 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي بِشْرٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَجُلاً مُحْرِماً صُرِعَ عَنْ نَاقَتِهِ فَأُوقِصَ ذُكِرَ أَنَّهُ قَدْ مَاتَ فَقَالَ النَّبِيُّ ﷺ: **«ٱغْسِلُوهُ بِمَاءٍ وَسِدْرٍ وَكَفِّنُوهُ فِي ثَوْبَيْنِ»** ثُمَّ قَالَ عَلَى إِثْرِهِ خَارِجاً رَأْسُهُ قَالَ: **«وَلاَ تَمَسُّوهُ طِيباً فَإِنَّهُ يُبْعَثُ يَوْمَ الْقِيَامَةِ مُلَبِّياً»** قَالَ شُعْبَةُ: فَسَأَلْتُهُ بَعْدَ عَشْرَ سِنِينَ فَجَاءَ بِالْحَدِيثِ كَمَا كَانَ يَجِيءُ بِهِ إِلاَّ أَنَّهُ قَالَ: **«وَلا تُخَمِّرُوا وَجْهَهُ وَرَأْسَهُ»**.

(99) ـ النَّهْيُ عَنْ أَنْ يُحَنَّطَ المُحْرِمُ إذا مَاتَ

2852 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ أَيُّوبَ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: بَيْنَا رَجُلٌ وَاقِفٌ بِعَرَفَةَ مَعَ رَسُولِ ٱللَّهِ ﷺ إِذْ وَقَعَ مِنْ رَاحِلَتِهِ فَأَقْعَصَهُ أَوْ قَالَ: فَأَقْعَصَتْهُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«ٱغْسِلُوهُ بِمَاءٍ وَسِدْرٍ وَكَفِّنُوهُ فِي ثَوْبَيْنِ وَلاَ تُحَنِّطُوهُ وَلاَ تُخَمِّرُوا رَأْسَهُ فَإِنَّ ٱللَّهَ عَزَّ وَجَلَّ يَبْعَثُهُ يَوْمَ الْقِيَامَةِ مُلَبِّياً»**.

2853 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ قُدَامَةَ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مَنْصُورٍ عَنِ الْحَكَمِ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: وَقَصَتْ رَجُلاً مُحْرِماً نَاقَتُهُ فَقَتَلَتْهُ فَأُتِيَ رَسُولُ ٱللَّهِ ﷺ فَقَالَ: **«ٱغْسِلُوهُ وَكَفِّنُوهُ وَلاَ تُغَطُّوا رَأْسَهُ وَلاَ تُقَرِّبُوهُ طِيباً فَإِنَّهُ يُبْعَثُ يُهِلُّ»**.

[100] It Is Forbidden To Cover Both The Head And The Face Of A Deceased Muhrim

2854- It is narrated on the authority of Ibn Abbas that a man was performing Hajj with The Messenger of Allah "Allah's blessing and peace be upon him" when his camel threw him away, and he died. On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Wash his body and shroud him in two garments. Cover not his head nor his face, for he will rise while pronouncing Talbiyah."

[101] It Is Forbidden To Cover The Head Of A Deceased Muhrim

2855- It is narrated on the authority of Ibn Abbas that he said: While a man in the state of Ihram was (at Arafat) with The Messenger of Allah "Allah's blessing and peace be upon him", he fell down from his she-camel and his neck got broken (and consequently, he died). The Messenger of Allah "Allah's blessing and peace be upon him" said: "Wash him with water mixed with fused leaves of lote tree and shroud him in his two pieces of clothing. Do neither perfume him, nor cover his head, for he will come on the Day of Judgement while pronouncing Talbiyah."

[102] When One Is Detained (From Completing His Ceremonies Of Hajj) By An Enemy

2856- It is narrated on the authority of Ubaidullah Ibn Abdullah and Salim Ibn Abdullah that they told Ibn Umar when Ibn Az-Zubair was attacked by the army, saying: "There is no harm for you if you did not perform Hajj this year. We are afraid that we may be prevented from reaching the House." Ibn Umar said: "We set out with Allah's Apostle "Allah's blessing and peace be upon him" and the non-believers of Quraish prevented us from reaching the House, and so the Prophet "Allah's blessing and peace be upon him" slaughtered his sacrifice and got his head shaved." Ibn Umar added: "I make you witnesses that I have made Umrah binding upon me. And, Allah willing, I will go and then if the way to the House is clear, I will circumambulate, but if I am prevented from going to the House then I will do the same as the Prophet "Allah's blessing and peace be upon him" did while I was with him." Ibn Umar then proceeded on for a while and said: "The ceremonies of Umrah and Hajj are similar and I make you witnesses that I have made Umrah and Hajj binding upon me." So, he did not finish the Ihram till the day of Sacrifice came, and he offered his sacrifice.

(100) ـ النَّهْيُ عَنْ أنْ يُخَمَّرَ وَجْهُ المُحْرِمِ ورَأْسُهُ إذا مَاتَ

2854 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مُعَاوِيَةَ قَالَ: حَدَّثَنَا خَلَفٌ يَعْنِي ٱبْنَ خَلِيفَةَ عَنْ أَبِي بِشْرٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَجُلاً كَانَ حَاجًّا مَعَ رَسُولِ ٱللَّهِ ﷺ وَأَنَّهُ لَفَظَهُ بَعِيرُهُ فَمَاتَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«يُغَسَّلُ وَيُكَفَّنُ فِي ثَوْبَيْنِ وَلاَ يُغَطَّى رَأْسُهُ وَوَجْهُهُ فَإِنَّهُ يَقُومُ يَوْمَ الْقِيَامَةِ مُلَبِّياً»**.

(101) ـ النَّهْيُ عن تَخْمِيرِ رَأْسِ المُحْرِمِ إذا مَاتَ

2855 ـ أَخْبَرَنَا عِمْرَانُ بْنُ يَزِيدَ قَالَ: حَدَّثَنَا شُعَيْبُ بْنُ إِسْحَاقَ قَالَ: أَخْبَرَنِي ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي عَمْرُو بْنُ دِينَارٍ أَنَّ سَعِيدَ بْنَ جُبَيْرٍ أَخْبَرَهُ أَنَّ ٱبْنَ عَبَّاسٍ أَخْبَرَهُ قَالَ: أَقْبَلَ رَجُلٌ حَرَاماً مَعَ رَسُولِ ٱللَّهِ ﷺ فَخَرَّ مِنْ فَوْقِ بَعِيرِهِ فَوُقِصَ وَقْصاً فَمَاتَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«ٱغْسِلُوهُ بِمَاءٍ وَسِدْرٍ وَٱلْبِسُوهُ ثَوْبَيْهِ وَلاَ تُخَمِّرُوا رَأْسَهُ فَإِنَّهُ يَأْتِي يَوْمَ الْقِيَامَةِ يُلَبِّي»**.

(102) ـ فيمن أُحْصِرَ بعَدُوٍّ

2856 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ الْمُقْرِىءُ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا جُوَيْرِيَةُ عَنْ نَافِعٍ أَنَّ عَبْدَ ٱللَّهِ وَسَالِمَ بْنَ عَبْدِ ٱللَّهِ أَخْبَرَاهُ أَنَّهُمَا كَلَّمَا عَبْدَ ٱللَّهِ بْنَ عُمَرَ لَمَّا نَزَلَ الْجَيْشُ بِابْنِ الزُّبَيْرِ قَبْلَ أَنْ يُقْتَلَ فَقَالاَ: لاَ يَضُرُّكَ أَنْ لاَ تَحُجَّ الْعَامَ إِنَّا نَخَافُ أَنْ يُحَالَ بَيْنَنَا وَبَيْنَ الْبَيْتِ قَالَ: خَرَجْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ فَحَالَ كُفَّارُ قُرَيْشٍ دُونَ الْبَيْتِ فَنَحَرَ رَسُولُ ٱللَّهِ ﷺ هَدْيَهُ وَحَلَقَ رَأْسَهُ وَأُشْهِدُكُمْ أَنِّي قَدْ أَوْجَبْتُ عُمْرَةً إِنْ شَاءَ ٱللَّهُ أَنْطَلِقُ فَإِنْ خُلِّيَ بَيْنِي وَبَيْنَ الْبَيْتِ طُفْتُ وَإِنْ حِيلَ بَيْنِي وَبَيْنَ الْبَيْتِ فَعَلْتُ مَا فَعَلَ رَسُولُ ٱللَّهِ ﷺ وَأَنَا مَعَهُ ثُمَّ سَارَ سَاعَةً ثُمَّ قَالَ: فَإِنَمَا شَأْنُهُمَا وَاحِدٌ أُشْهِدُكُمْ أَنِّي قَدْ أَوْجَبْتُ حَجَّةً مَعَ عُمْرَتِي فَلَمْ يَحْلِلْ مِنْهُمَا حَتَّى أَحَلَّ يَوْمَ النَّحْرِ وَأَهْدَى.

2857- It is narrated on the authority of Ikrimah from Al-Hajjaj Ibn Amr Al-Ansari that he heard Allah's Apostle "Allah's blessing and peace be upon him" having said: "He, who gets lame or broken (after assuming Ihram and thus is disabled from completing his ceremonies) should then put off Ihram, and performing Hajj once again is binding upon him." I (Ikrimah) asked both Ibn Abbas and Abu Hurairah about that, and they said: "He (Al-Hajjaj) has told the truth."

2858- It is narrated on the authority of Ikrimah from Al-Hajjaj Ibn Amr that Allah's Apostle "Allah's blessing and peace be upon him" said: "He, who gets broken or lame (after assuming Ihram and thus is disabled from completing his ceremonies) should then put off Ihram, and performing Hajj once again is binding upon him." I (Ikrimah) asked both Ibn Abbas and Abu Hurairah about that, and they said: "He has told the truth." Shu'aib said in his narration: "Offering Hajj in the coming year is due upon him."

[103] Entering Mecca

2859- It is narrated on the authority of Abdullah Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" used to descend at Dhu-Tuwa, on his way to Mecca. He used to stay the night till the morning, when he would get up to offer The Morning prayer. The praying place of The Messenger of Allah "Allah's blessing and peace be upon him" was on a great hill, other than the place in which the mosque was built later, but at somewhere below it, on a great coarse hill.

[104] Entering Mecca At Night

2860- It is narrated on the authority of Muharrish Al-Ka'bi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" set out of Al-Ji'ranah at night, when he proceeded on while assuming Ihram for Umrah, and he returned to it as early in the morning as if he had spent the night there. When the sun declined, he left Ji'ranah, and walked towards the bottom of Sarif until he was on the road of Medina from Sarif.

2861- It is narrated on the authority of Muharrish Al-Ka'bi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" set out of Al-Ji'ranah at night, (as bright and elegant) as if he was a piece of silver and he then assumed Ihram for Umrah, and he returned to it as early in the morning as if he had spent the night there.

2857 ـ أَخْبَرَنَا حُمَيْدُ بْنُ مَسْعَدَةَ الْبَصْرِيُّ قَالَ: حَدَّثَنَا سُفْيَانُ وَهُوَ ٱبْنُ حَبِيبٍ عَنِ الْحَجَّاجِ الصَّوَّافِ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ عَنْ عِكْرِمَةَ عَنِ الْحَجَّاجِ بْنِ عَمْرٍو الأَنْصَارِيِّ أَنَّهُ سَمِعَ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**مَنْ عَرِجَ أَوْ كُسِرَ فَقَدْ حَلَّ وَعَلَيْهِ حَجَّةٌ أُخْرَى**» فَسَأَلْتُ ٱبْنَ عَبَّاسٍ وَأَبَا هُرَيْرَةَ عَنْ ذٰلِكَ فَقَالاَ: صَدَقَ.

2858 ـ أَخْبَرَنَا شُعَيْبُ بْنُ يُوسُفَ وَمُحَمَّدُ بْنُ الْمُثَنَّى قَالاَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ حَجَّاجِ بْنِ الصَّوَّافِ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي كَثِيرٍ عَنْ عِكْرِمَةَ عَنِ الْحَجَّاجِ بْنِ عَمْرٍو عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنْ كُسِرَ أَوْ عَرِجَ فَقَدْ حَلَّ وَعَلَيْهِ حَجَّةٌ أُخْرَى**» وَسَأَلْتُ ابْنَ عَبَّاسٍ وَأَبَا هُرَيْرَةَ فَقَالاَ: صَدَقَ. وَقَالَ شُعَيْبٌ فِي حَدِيثِهِ: «**وَعَلَيْهِ الْحَجُّ مِنْ قَابِلٍ**».

(103) ـ دُخُولُ مَكَّةَ

2859 ـ أَخْبَرَنَا عَبْدَةُ بْنُ عَبْدِ ٱللَّهِ قَالَ: أَنْبَأَنَا سُوَيْدٌ قَالَ: حَدَّثَنَا زُهَيْرٌ قَالَ: حَدَّثَنَا مُوسَى بْنُ عُقْبَةَ قَالَ: حَدَّثَنِي نَافِعٌ أَنَّ عَبْدَ ٱللَّهِ بْنَ عُمَرَ حَدَّثَهُ: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ يَنْزِلُ بِذِي طُوًى يَبِيتُ بِهِ حَتَّى يُصَلِّي صَلاَةَ الصُّبْحِ حِينَ يَقْدِمُ إِلَى مَكَّةَ وَمُصَلَّى رَسُولِ ٱللَّهِ ﷺ ذٰلِكَ عَلَى أَكَمَةٍ غَلِيظَةٍ لَيْسَ فِي الْمَسْجِدِ الَّذِي بُنِيَ ثَمَّ وَلٰكِنْ أَسْفَلَ مِنْ ذٰلِكَ عَلَى أَكَمَةٍ خَشِنَةٍ غَلِيظَةٍ.

(104) ـ دُخُولُ مَكَّةَ لَيْلاً

2860 ـ أَخْبَرَنِي عِمْرَانُ بْنُ يَزِيدَ عَنْ شُعَيْبٍ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي مُزَاحِمُ بْنُ أَبِي مُزَاحِمٍ عَنْ عَبْدِ الْعَزِيزِ بْنِ عَبْدِ ٱللَّهِ عَنْ مُحَرِّشٍ الْكَعْبِيِّ: أَنَّ النَّبِيَّ ﷺ خَرَجَ لَيْلاً مِنَ الْجِعِرَّانَةِ حِينَ مَشَى مُعْتَمِراً فَأَصْبَحَ بِالْجِعِرَّانَةِ كَبَائِتٍ حَتَّى إِذَا زَالَتِ الشَّمْسُ خَرَجَ عَنِ الْجِعِرَّانَةِ فِي بَطْنِ سَرِفَ حَتَّى جَامَعَ الطَّرِيقَ طَرِيقَ الْمَدِينَةِ مِنْ سَرِفَ.

2861 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ سُفْيَانَ عَنْ إِسْمَاعِيلَ بْنِ أُمَيَّةَ عَنْ مُزَاحِمٍ عَنْ عَبْدِ الْعَزِيزِ بْنِ عَبْدِ ٱللَّهِ بْنِ خَالِدِ بْنِ أُسَيْدٍ عَنْ مُحَرِّشٍ الْكَعْبِيِّ: أَنَّ النَّبِيَّ ﷺ خَرَجَ مِنَ الْجِعِرَّانَةِ لَيْلاً كَأَنَّهُ سَبِيكَةُ فِضَّةٍ فَٱعْتَمَرَ ثُمَّ أَصْبَحَ بِهَا كَبَائِتٍ.

[105] From Where Should One Enter Mecca?

2862- It is narrated on the authority of Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" entered Mecca from the upper Thaniyyah of Al-Batha', and came out from the lower Thaniyyah.

[106] Entering Mecca With The Banner

2863- It is narrated on the authority of Jabir that The Messenger of Allah "Allah's blessing and peace be upon him" entered Mecca (on the day of conquest) with his banner white.

[107] Entering Mecca With No Ihram

2864- It is narrated on the authority of Anas that The Messenger of Allah "Allah's blessing and peace be upon him" entered Mecca (on the day of the conquest) having the helmet (on his head), and it was said: "Ibn Khatal was hanging in the curtains of the Ka'bah." On that he said: "Kill him."

2865- It is narrated on the authority of Anas that The Messenger of Allah "Allah's blessing and peace be upon him" entered Mecca in the year of the conquest having the helmet on his head.

2866- It is narrated on the authority of Jabir that The Messenger of Allah "Allah's blessing and peace be upon him" entered (Mecca) on the day of the conquest of Mecca, having a black turban over his head, and he was not in a state of Ihram.

[108] The Time At Which The Prophet Reached Mecca

2867- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" and his companions arrived (in Mecca) in the morning of the fourth (of Dhul-Hijjah), and they were uttering Talbiyah for Hajj, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" ordered them to put off Ihram (and rather to make their intention for Umrah).

2868- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" arrived (in Mecca) when only four (nights) elapsed out of Dhul-Hijjah, and he had assumed Ihram for Hajj. When he offered Morning prayer at Batha', he said: "Whoever likes to make it Umrah, let him do (and put off Ihram)."

2869- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" arrived (in Mecca) in the morning of the fourth of Dhul-Hijjah.

(105) ـ من أين يَدْخُلُ مَكَّةَ

2862 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ قَالَ: حَدَّثَنِي نَافِعٌ عَنِ ٱبْنِ عُمَرَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ دَخَلَ مَكَّةَ مِنَ الثَّنِيَّةِ الْعُلْيَا الَّتِي بِالْبَطْحَاءِ وَخَرَجَ مِنَ الثَّنِيَّةِ السُّفْلَى.

(106) ـ دُخُولُ مَكَّةَ باللِّوَاءِ

2863 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا يَحْيَى بْنُ آدَمَ قَالَ: حَدَّثَنَا شَرِيكٌ عَنْ عَمَّارٍ الدُّهْنِيِّ عَنْ أَبِي الزُّبَيْرِ عَن جَابِرٍ رَضِيَ ٱللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ دَخَلَ مَكَّةَ وَلِوَاؤُهُ أَبْيَضُ.

(107) ـ دُخُولُ مَكَّةَ بغير إحْرَامٍ

2864 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا مَالِكٌ عَنِ ٱبْنِ شِهَابٍ عَنْ أَنَسٍ: أَنَّ النَّبِيَّ ﷺ دَخَلَ مَكَّةَ وَعَلَيْهِ الْمِغْفَرُ فَقِيلَ ابْنُ خَطَلٍ مُتَعَلِّقٌ بِأَسْتَارِ الْكَعْبَةِ فَقَالَ: **«اقْتُلُوهُ»**.

2865 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ فَضَالَةَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ الزُّبَيْرِ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي مَالِكٌ عَنِ الزُّهْرِيِّ عَنْ أَنَسٍ: أَنَّ النَّبِيَّ ﷺ دَخَلَ مَكَّةَ عَامَ الْفَتْحِ وَعَلَى رَأْسِهِ الْمِغْفَرُ.

2866 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا مُعَاوِيَةُ بْنُ عَمَّارٍ قَالَ: حَدَّثَنِي أَبُو الزُّبَيْرِ الْمَكِّيُّ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ: أَنَّ النَّبِيَّ ﷺ دَخَلَ يَوْمَ فَتْحِ مَكَّةَ وَعَلَيْهِ عِمَامَةٌ سَوْدَاءُ بِغَيْرِ إِحْرَامٍ.

(108) ـ الوَقْتُ الذي وَافَى فيه النَّبِيُّ ﷺ مَكَّةَ

2867 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْمَرٍ قَالَ: حَدَّثَنَا حَبَّانُ قَالَ: حَدَّثَنَا وُهَيْبٌ قَالَ: حَدَّثَنَا أَيُّوبُ عَنْ أَبِي الْعَالِيَةِ الْبَرَّاءِ عَنِ ابْنِ عَبَّاسٍ قَالَ: قَدِمَ رَسُولُ ٱللَّهِ ﷺ وَأَصْحَابُهُ لِصُبْحِ رَابِعَةٍ وَهُمْ يُلَبُّونَ بِالْحَجِّ فَأَمَرَهُمْ رَسُولُ ٱللَّهِ ﷺ أَنْ يَحِلُّوا.

2868 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ عَنْ يَحْيَى بْنِ كَثِيرٍ أَبُو غَسَّانَ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَيُّوبَ عَنْ أَبِي الْعَالِيَةِ الْبَرَّاءِ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَدِمَ رَسُولُ ٱللَّهِ ﷺ لأَرْبَعِ مَضَيْنَ مِنْ ذِي الْحِجَّةِ وَقَدْ أَهَلَّ بِالْحَجِّ فَصَلَّى الصُّبْحَ بِالْبَطْحَاءِ وَقَالَ: **«مَنْ شَاءَ أَنْ يَجْعَلَهَا عُمْرَةً فَلْيَفْعَلْ»**.

2869 ـ أَخْبَرَنَا عِمْرَانُ بْنُ يَزِيدَ قَالَ: أَنْبَأَنَا شُعَيْبٌ عَنِ ٱبْنِ جُرَيْجٍ قَالَ عَطَاءٌ: قَالَ جَابِرٌ: قَدِمَ النَّبِيُّ ﷺ مَكَّةَ صَبِيحَةَ رَابِعَةٍ مَضَتْ مِنْ ذِي الْحِجَّةِ.

[109] What About Reciting Poetry In The Sanctuary, And Walking In Front Of The Imam?

2870- It is narrated on the authority of Anas that The Messenger of Allah "Allah's blessing and peace be upon him" entered Mecca to perform the Umrah in lieu (of that from which he was detained), and Abdullah Ibn Rawahah was walking in front of him, reciting: "O sons of infidels! Let him go on his way (to offer his Umrah): today, (if you break your treaty with us) we are going to strike you, so strongly as to remove your heads from their places, in order to enable him (the Prophet) to descend (in Mecca as he wishes), so violently as to make a friend have estrangement towards his friend." Umar said to him: "O Ibn Rawahah! Are you reciting poetry in front of The Messenger of Allah "Allah's blessing and peace be upon him", and within the Sanctuary of Allah Almighty?" on that The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Let him for indeed, it (the impact of his poetry) is much stronger upon them (the infidels) than throwing them with arrows."

[110] The Sanctity Of Mecca

2871- It is narrated on the authority of Ibn Abbas that he said: On the day of the conquest of Mecca, The Prophet "Allah's blessing and peace be upon him" said: "No doubt, Allah has made this town (Mecca) a sanctuary since the creation of the heavens and the earth. So, it is a sanctuary with Allah's sanctity till the Day of Judgement. Its thorny shrubs should not be uprooted and its game should not be chased; and its fallen things should not be picked up except by one who would announce that publicly, and its vegetation (grass etc.) should not be cut." Al-Abbas said: "O Allah's Apostle! Except Al-Idhkhir (a kind of grass)." Upon this he (The Prophet) said: "Except Al-Idhkhir."

[111] The Prohibition Of Fighting In Mecca

2872- It is narrated on the authority of Ibn Abbas that he said: On the day of the conquest of Mecca, The Prophet "Allah's blessing and peace be upon him" said: "No doubt, this town (Mecca) is a sanctuary, whose sanctity Allah Almighty has ordained. Fighting was not permissible in it for anyone before me, and even for me it was allowed only for a portion of a day. So, it is a sanctuary with Allah's sanctity."

2873- It is narrated on the authority of Abu Shuraih that he said to Amr Ibn Sa'id who was sending the troops to Mecca (to fight Abdullah Ibn Az-Zubair): "O chief! Allow me to tell you something, which the Messenger of

(109) ـ إِنْشَادُ الشِّعْرِ فِي الحَرَمِ والمَشْيُ بين يَدَيِ الإِمَامِ

2870 ـ أَخْبَرَنَا أَبُو عَاصِمٍ خُشَيْشُ بْنُ أَصْرَمَ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا ثَابِتٌ عَنْ أَنَسٍ: أَنَّ النَّبِيَّ ﷺ دَخَلَ مَكَّةَ فِي عُمْرَةِ الْقَضَاءِ وَعَبْدُ ٱللَّهِ بْنُ رَوَاحَةَ يَمْشِي بَيْنَ يَدَيْهِ وَهُوَ يَقُولُ:

خَلُّوا بَنِي الْكُفَّارِ عَنْ سَبِيلِهِ ... الْيَوْمَ نَضْرِبْكُمْ عَلَى تَنْزِيلِهِ

ضَرْباً يُزِيلُ الْهَامَ عَنْ مَقِيلِهِ ... وَيُذْهِلُ الْخَلِيلَ عَنْ خَلِيلِهِ

فَقَالَ لَهُ عُمَرُ: يَا ٱبْنَ رَوَاحَةَ بَيْنَ يَدَيْ رَسُولِ ٱللَّهِ ﷺ وَفِي حَرَمِ ٱللَّهِ عَزَّ وَجَلَّ تَقُولُ الشِّعْرَ! قَالَ النَّبِيُّ ﷺ: **«خَلِّ عَنْهُ فَلَهُوَ أَسْرَعُ فِيهِمْ مِنْ نَضْحِ النَّبْلِ»**.

(110) ـ حُرْمَةُ مَكَّةَ

2871 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ قُدَامَةَ عَنْ جَرِيرٍ عَنْ مَنْصُورٍ عَنْ مُجَاهِدٍ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ يَوْمَ الْفَتْحِ: **«هٰذَا الْبَلَدُ حَرَّمَهُ ٱللَّهُ يَوْمَ خَلَقَ السَّمٰوَاتِ وَالأَرْضَ فَهُوَ حَرَامٌ بِحُرْمَةِ ٱللَّهِ إِلَى يَوْمِ الْقِيَامَةِ لاَ يُعْضَدُ شَوْكُهُ وَلاَ يُنَفَّرُ صَيْدُهُ وَلاَ يَلْتَقِطُ لُقَطَتَهُ إِلاَّ مَنْ عَرَّفَهَا وَلاَ يُخْتَلَى خَلاَهُ»** قَالَ الْعَبَّاسُ: يَا رَسُولَ ٱللَّهِ إِلاَّ الإِذْخِرَ فَذَكَرَ كَلِمَةً مَعْنَاهَا **«إِلاَّ الإِذْخِرَ»**.

(111) ـ تَحْرِيمُ القِتَالِ فيه

2872 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ قَالَ: حَدَّثَنَا مُفَضَّلٌ عَنْ مَنْصُورٍ عَنْ مُجَاهِدٍ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ يَوْمَ فَتْحِ مَكَّةَ: **«إِنَّ هٰذَا الْبَلَدَ حَرَامٌ حَرَّمَهُ ٱللَّهُ عَزَّ وَجَلَّ لَمْ يَحِلَّ فِيهِ الْقِتَالُ لأَحَدٍ قَبْلِي وَأُحِلَّ لِي سَاعَةً مِنْ نَهَارٍ فَهُوَ حَرَامٌ بِحُرْمَةِ ٱللَّهِ عَزَّ وَجَلَّ»**.

2873 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ عَنْ أَبِي شُرَيْحٍ أَنَّهُ قَالَ لِعَمْرِو بْنِ سَعِيدٍ وَهُوَ يَبْعَثُ الْبُعُوثَ إِلَى مَكَّةَ: ٱئْذَنْ لِي أَيُّهَا الأَمِيرُ أُحَدِّثْكَ قَوْلاً

Allah "Allah's blessing and peace be upon him" had said on the day following the conquest of Mecca. My ears heard it and my heart comprehended it, and I saw him with my own eyes, when he said it. He praised Allah and lauded Him. Then he said: "Allah and not the people has made Mecca a sanctuary. Therefore, anybody who has faith in Allah and the Last Day should neither shed blood in it nor cut down its trees. If anybody argues that fighting is allowed in Mecca as Allah's Apostle "Allah's blessing and peace be upon him" did fight (in Mecca), tell him that Allah gave permission to His Apostle "Allah's blessing and peace be upon him", but He did not give it to you." The Prophet "Allah's blessing and peace be upon him" added: "Allah allowed me only for a few hours on that day (of the conquest). Today (now) its sanctity has returned to be the same (applicable) as it was before. So it is incumbent upon those who are present to inform (this message) to those who are absent.""

[112] The Sanctity Of The Sanctuary

2874- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "An army will (try to) invade this House (of the Ka'bah), whereupon the earth will be caused to sink down with them at Baida'.

2875- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "The military expeditions will not cease to attack this House until the earth will be caused to sink down with one of them."

2876- It is narrated on the authority of Hafsah Bint Umar that she said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Many soldiers will be sent to (attack) this Sanctuary, and when they will be at some desert (miles from Mecca), the earth will be caused to sink down with the first and last portions of them, and the middle portion will not be saved." I asked: "Tell me: if there are believers among them (what will their destiny be?)" he said: "It (the earth there) will be graves for them (and they will not be punished like the others)."

2877- It is narrated on the authority of Umayyah Ibn Safwan Ibn Abdullah Ibn Safwan that he heard his grandfather relating that Hafsah told that the Messenger of Allah "Allah's blessing and peace be upon him" said: "A military expedition will aim at invading this House, until when they will be at a desert (miles from it), the earth will be caused to sink down with the middle portion of them, thereupon the first and last portions

قَامَ بِهِ رَسُولُ ٱللَّهِ ﷺ الْغَدَ مِنْ يَوْمِ الْفَتْحِ سَمِعَتْهُ أُذُنَايَ وَوَعَاهُ قَلْبِي وَأَبْصَرَتْهُ عَيْنَايَ حِينَ تَكَلَّمَ بِهِ حَمِدَ ٱللَّهَ وَأَثْنَى عَلَيْهِ ثُمَّ قَالَ: «**إِنَّ مَكَّةَ حَرَّمَهَا ٱللَّهُ وَلَمْ يُحَرِّمْهَا النَّاسُ وَلاَ يَحِلُّ لامْرِىءٍ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ أَنْ يَسْفُكَ بِهَا دَماً وَلاَ يَعْضُدُ بِهَا شَجَراً فَإِنْ تَرَخَّصَ أَحَدٌ لِقِتَالِ رَسُولِ ٱللَّهِ ﷺ فِيهَا فَقُولُوا لَهُ: إِنَّ ٱللَّهَ أَذِنَ لِرَسُولِهِ وَلَمْ يَأْذَنْ لَكُمْ وَإِنَّمَا أَذِنَ لِي فِيهَا سَاعَةً مِنْ نَهَارٍ وَقَدْ عَادَتْ حُرْمَتُهَا الْيَوْمَ كَحُرْمَتِهَا بِالأَمْسِ وَلْيُبَلِّغِ الشَّاهِدُ الْغَائِبَ**».

(112) ـ حُرْمَةُ الحَرَمِ

2874 ـ أَخْبَرَنَا عِمْرَانُ بْنُ بَكَّارٍ قَالَ: حَدَّثَنَا بِشْرٌ أَخْبَرَنِي أَبِي عَنِ الزُّهْرِيِّ أَخْبَرَنِي سُحَيْمٌ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**يَغْزُو هٰذَا الْبَيْتَ جَيْشٌ فَيُخْسَفُ بِهِمْ بِالْبَيْدَاءِ**».

2875 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِدْرِيسَ أَبُو حَاتِمٍ الرَّازِيُّ قَالَ: حَدَّثَنَا عَمْرُو بْنُ حَفْصِ بْنِ غِيَاثٍ قَالَ: حَدَّثَنَا أَبِي عَنْ مِسْعَرٍ قَالَ: أَخْبَرَنِي طَلْحَةُ بْنُ مُصَرِّفٍ عَنْ أَبِي مُسْلِمٍ الأَغَرِّ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ تَنْتَهِي الْبُعُوثُ عَنْ غَزْوِ هٰذَا الْبَيْتِ حَتَّى يُخْسَفَ بِجَيْشٍ مِنْهُمْ**».

2876 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ دَاوُدَ الْمِصِّيصِيُّ قَالَ: حَدَّثَنَا يَحْيَى بْنُ مُحَمَّدِ بْنِ سَابِقٍ قَالَ: حَدَّثَنَا أَبُو أُسَامَةَ قَالَ: حَدَّثَنَا عَبْدُ السَّلاَمِ عَنِ الدَّالاَنِيِّ عَنْ عَمْرِو بْنِ مُرَّةَ عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ عَنْ أَخِيهِ قَالَ: حَدَّثَنِي ٱبْنُ أَبِي رَبِيعَةَ عَنْ حَفْصَةَ بِنْتِ عُمَرَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**يُبْعَثُ جُنْدٌ إِلَى هٰذَا الْحَرَمِ فَإِذَا كَانُوا بِبَيْدَاءَ مِنَ الأَرْضِ خُسِفَ بِأَوَّلِهِمْ وَآخِرِهِمْ وَلَمْ يَنْجُ أَوْسَطُهُمْ**». قُلْتُ: أَرَأَيْتَ إِنْ كَانَ فِيهِمْ مُؤْمِنُونَ؟ قَالَ: «**تَكُونُ لَهُمْ قُبُوراً**».

2877 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ عِيسَى قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أُمَيَّةَ بْنِ صَفْوَانَ بْنِ عَبْدِ ٱللَّهِ بْنِ صَفْوَانَ سَمِعَ جَدَّهُ يَقُولُ: حَدَّثَتْنِي حَفْصَةُ أَنَّهُ قَالَ ﷺ: «**لَيَؤُمَّنَّ هٰذَا الْبَيْتَ جَيْشٌ يَغْزُونَهُ حَتَّى إِذَا كَانُوا بِبَيْدَاءَ مِنَ الأَرْضِ خُسِفَ بِأَوْسَطِهِمْ فَيُنَادِي أَوَّلُهُمْ وَآخِرُهُمْ**

will call each other, and the earth will be caused to sink down with them all, and none barring the alien who will come to tell about them will be saved." A man said to him: "I bear testimony that you have never told lies about your grandfather, and I bear testimony that your grandfather has never told lies about Hafsah, and I bear testimony that Hafsah has never told lies about the Messenger of Allah "Allah's blessing and peace be upon him"."

[113] Which Animals Might Be Killed Within The Sanctuary

2878- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are five wicked animals, which should be killed, whether outside or even within the Sanctuary, (whether their killer is or is not in the state of Ihram). Those are: the crow, the kite, the rabid dog, the scorpion, and the mouse."

[114] Killing The Female-Snake In The Sanctuary

2879- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are five wicked animals, which should be killed, whether outside or even within the Sanctuary, (whether their killer is or is not in the state of Ihram). Those are: the female-snake, the rabid dog, the speckled crow, the kite, and the mouse."

2880- It is narrated on the authority of Abdullah that he said: We were with The Messenger of Allah "Allah's blessing and peace be upon him" in Khaif of Mina when the Surah of Al-Mursalat was revealed. A female-snake came out, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill it." We raced each other to kill it, but it soon entered its hole.

2881- It is narrated on the authority of Abu Ubaidah from his father that he said: We were with The Messenger of Allah "Allah's blessing and peace be upon him" on the night preceding the day of Arafat, and behold! There was a female-snake! On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill it." It entered the side of a hole, and we got a stick into it and took off a portion of the hole, and then we took a palm leafstalk and kindled fire in it. On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Indeed, Allah has saved it from your evil, as well as He has saved you from its evil."

فَيُخْسَفُ بِهِمْ جَمِيعاً وَلاَ يَنْجُو إلاَّ الشَّرِيدُ الَّذِي يُخْبِرُ عَنْهُمْ». فَقَالَ لَهُ رَجُلٌ: أَشْهَدُ عَلَيْكَ أَنَّكَ مَا كَذَبْتَ عَلَى جَدِّكَ وَأَشْهَدُ عَلَى جَدِّكَ أَنَّهُ مَا كَذَبَ عَلَى حَفْصَةَ وَأَشْهَدُ عَلَى حَفْصَةَ أَنَّهَا لَمْ تَكْذِبْ عَلَى النَّبِيِّ ﷺ.

(113) ـ ما يُقْتَلُ في الحَرَمِ من الدَّوَابِّ

2878 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا وَكِيعٌ قَالَ: حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«خَمْسُ فَوَاسِقَ يُقْتَلْنَ فِي الْحِلِّ وَالْحَرَمِ الْغُرَابُ وَالْحِدَأَةُ وَالْكَلْبُ الْعَقُورُ وَالْعَقْرَبُ وَالْفَأْرَةُ»**.

(114) ـ قَتْلُ الحَيَّةِ في الحَرَمِ

2879 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا النَّضْرُ بْنُ شُمَيْلٍ قَالَ: أَنْبَأَنَا شُعْبَةُ عَنْ قَتَادَةَ سَمِعْتُ سَعِيدَ بْنَ الْمُسَيَّبِ يُحَدِّثُ عَنْ عَائِشَةَ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«خَمْسُ فَوَاسِقَ يُقْتَلْنَ فِي الْحِلِّ وَالْحَرَمِ الْحَيَّةُ وَالْكَلْبُ الْعَقُورُ وَالْغُرَابُ الأَبْقَعُ وَالْحِدَأَةُ وَالْفَأْرَةُ»**.

2880 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ عَنْ حَفْصِ بْنِ غِيَاثٍ عَنِ الأَعْمَشِ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَبْدِ ٱللَّهِ قَالَ: كُنَّا مَعَ رَسُولِ ٱللَّهِ ﷺ بِالْخَيْفِ مِنْ مِنًى حَتَّى نَزَلَتْ وَالْمُرْسَلاَتِ عُرْفاً فَخَرَجَتْ حَيَّةٌ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«ٱقْتُلُوهَا!»** فَٱبْتَدَرْنَاهَا فَدَخَلَتْ فِي جُحْرِهَا.

2881 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ أَخْبَرَنِي أَبُو الزُّبَيْرِ عَنْ مُجَاهِدٍ عَنْ أَبِي عُبَيْدَةَ عَنْ أَبِيهِ قَالَ: كُنَّا مَعَ رَسُولِ ٱللَّهِ ﷺ لَيْلَةَ عَرَفَةَ الَّتِي قَبْلَ يَوْمِ عَرَفَةَ فَإِذَا حِسُّ الْحَيَّةِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«ٱقْتُلُوهَا»** فَدَخَلَتْ شَقَّ جُحْرٍ فَأَدْخَلْنَا عُوداً فَقَلَعْنَا بَعْضَ الْجُحْرِ فَأَخَذْنَا سَعَفَةً فَأَضْرَمْنَا فِيهَا نَاراً فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«وَقَاهَا ٱللَّهُ شَرَّكُمْ وَوَقَاكُمْ شَرَّهَا»**.

[115] Killing The Salamander

2882- It is narrated on the authority of Umm Sharik that she said: The Messenger of Allah "Allah's blessing and peace be upon him" ordered me to kill salamanders.

2883- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "The salamander is the (most) wicked (among the animals)."

[116] Killing The Scorpion

2884- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are five animals, all of which are wicked, and thus they should be killed, whether outside or even within the Sanctuary, (whether their killer is or is not in the state of Ihram). Those are: the rabid dog, the crow, the kite, the scorpion, and the mouse."

[117] Killing The Mouse Within The Sanctuary

2885- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are five animals, all of which are wicked, and thus they should be killed, even within the Sanctuary. Those are: the crow, the kite, the rabid dog, the mouse, and the scorpion,."

2886- It is narrated on the authority of Abdullah Ibn Umar that he said: Hafsah, the wife of The Messenger of Allah "Allah's blessing and peace be upon him" said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are five kinds of animals, and there is no blame upon such as kills (any of) them (even though he is within the Sanctuary, in the state of Ihram). Those are: the scorpion, the crow, the kite, the mouse, and the rabid dog."

[118] Killing The Kite Within The Sanctuary

2887- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are five wicked animals, which should be killed, whether outside or even within the Sanctuary, (whether their killer is or is not in the state of Ihram). Those are: the kite, the crow, the mouse, the scorpion, and the rabid dog."

[119] Killing The Crow Within The Sanctuary

2888- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There

(115) ـ قَتْلُ الوَزَغِ

2882 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ الْمُقْرِىءُ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي عَبْدُ الْحَمِيدِ بْنِ جُبَيْرِ بْنِ شَيْبَةَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ أُمِّ شَرِيكٍ قَالَتْ: «أَمَرَنِي رَسُولُ ٱللَّهِ ﷺ بِقَتْلِ الأَوْزَاغِ».

2883 ـ أَخْبَرَنَا وَهْبُ بْنُ بَيَانٍ قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي مَالِكٌ وَيُونُسُ عَنِ ٱبْنِ شِهَابٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**الْوَزَغُ الْفُوَيْسِقُ**».

(116) ـ بابُ قَتْلِ العَقْرَبِ

2884 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ خَالِدٍ الرَّقِّيُّ الْقَطَّانُ قَالَ: حَدَّثَنَا حَجَّاجٌ قَالَ ٱبْنُ جُرَيْجٍ: أَخْبَرَنِي أَبَانُ بْنُ صَالِحٍ عَنِ ٱبْنِ شِهَابٍ أَنَّ عُرْوَةَ أَخْبَرَهُ أَنَّ عَائِشَةَ قَالَتْ: قَالَ النَّبِيُّ ﷺ: «**خَمْسٌ مِنَ الدَّوَابِّ كُلُّهُنَّ فَاسِقٌ، يُقْتَلْنَ فِي الحِلِّ وَالْحَرَمِ: الْكَلْبُ الْعَقُورُ، وَالْغُرَابُ، وَالْحِدَأَةُ، وَالْعَقْرَبُ، وَالْفَأْرَةُ**».

(117) ـ قَتْلُ الفَأْرَةِ فِي الحَرَمِ

2885 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ عَنْ عُرْوَةَ أَنَّ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**خَمْسٌ مِنَ الدَّوَابِّ كُلُّهَا فَاسِقٌ، يُقْتَلْنَ فِي الْحَرَمِ: الْغُرَابُ، وَالْحِدَأَةُ، وَالْكَلْبُ، الْعَقُورُ، وَالْفَأْرَةُ، وَالْعَقْرَبُ**».

2886 ـ أَخْبَرَنَا عِيسَى بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ أَنَّ سَالِمَ بْنَ عَبْدِ ٱللَّهِ أَخْبَرَهُ أَنَّ عَبْدَ ٱللَّهِ بْنَ عُمَرَ قَالَ: قَالَتْ حَفْصَةُ زَوْجُ النَّبِيِّ ﷺ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**خَمْسٌ مِنَ الدَّوَابِّ لاَ حَرَجَ عَلَى مَنْ قَتَلَهُنَّ الْعَقْرَبُ وَالْغُرَابُ وَالْحِدَأَةُ وَالْفَأْرَةُ وَالْكَلْبُ الْعَقُورُ**».

(118) ـ قَتْلُ الحِدَأَةِ فِي الحَرَمِ

2887 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**خَمْسُ فَوَاسِقَ يُقْتَلْنَ فِي الْحِلِّ وَالْحَرَمِ الْحِدَأَةُ وَالْغُرَابُ وَالْفَأْرَةُ وَالْعَقْرَبُ وَالْكَلْبُ الْعَقُورِ**» قَالَ عَبْدُ الرَّزَّاقِ: وَذَكَرَ بَعْضُ أَصْحَابِنَا أَنَّ مَعْمَراً كَانَ يَذْكُرُهُ عَنِ الزُّهْرِيِّ عَنْ سَالِمٍ عَنْ أَبِيهِ وَعَنْ عُرْوَةَ عَنْ عَائِشَةَ أَنَّ النَّبِيَّ ﷺ.

(119) ـ قَتْلُ الغُرَابِ فِي الحَرَمِ

2888 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَبْدَةَ قَالَ: أَنْبَأَنَا حَمَّادٌ قَالَ: حَدَّثَنَا هِشَامٌ وَهُوَ ٱبْنُ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**خَمْسُ فَوَاسِقُ يُقْتَلْنَ فِي الحَرَمِ**

are five wicked animals which should be killed, even within the Sanctuary. Those are: the scorpion, the mouse, the crow, the rabid dog, and the kite."

[120] It Is Forbidden To Chase The Game Of The Sanctuary

2889- It is narrated on the authority of Ibn Abbas that he said: The Prophet "Allah's blessing and peace be upon him" said: "No doubt, this is Mecca, which Allah has made a sanctuary since the creation of the heavens and the earth. It was not lawful for anyone before nor (will it be lawful) after me (to fight in it), and even for me, it was made lawful (to fight in it) for a portion of the day, i.e. this hour of mine. So, it is a sanctuary with Allah's sanctity till the Day of Judgement. its vegetation (grass etc.) should not be cut, its thorny shrubs should not be uprooted, its game should not be chased, and its fallen things should not be picked up except by one who would announce that publicly." Al-Abbas, and he was a man of great experience, stood up and said: "Except Al-Idhkhir (a kind of grass) which we use in our houses and graves." upon this he (The Prophet) said: "Except Al-Idhkhir."

[121] Receiving Pilgrims

2890- It is narrated on the authority of Anas that The Messenger of Allah "Allah's blessing and peace be upon him" entered Mecca to perform the Umrah in lieu (of that from which he was detained), and Abdullah Ibn Rawahah was walking in front of him, reciting: "O sons of infidels! Let him go on his way (to offer his Umrah): today, (if you break your treaty with us) we are going to strike you, so strongly as to remove your heads from their places, in order to enable him (the Prophet) to descend (in Mecca as he wishes), so violently as to make a friend have estrangement towards his friend." Umar said to him: "O Ibn Rawahah! Are you reciting poetry within the Sanctuary of Allah Almighty and in front of The Messenger of Allah "Allah's blessing and peace be upon him"?" on that The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Let him for by Him, in Whose Hand is my life, it (the impact of his poetry) is much stronger upon them (the infidels) than that of arrows."

2891- It is narrated on the authority of Ibn Abbas that when The Messenger of Allah "Allah's blessing and peace be upon him" entered Mecca, he was received by young boys belonging to Banu Hashim. He carried one in front of him, and another behind him.

[122] One Might Not Raise His Hands On Seeing The House

2892- It is narrated on the authority of Al-Muhajir Al-Makki that he said: Jabir Ibn Abdullah was asked about him who sees the House:

الْعَقْرَبُ وَالْفَأْرَةُ وَالْغُرَابُ وَالْكَلْبُ الْعَقُورُ وَالْحِدَأَةُ».

(120) ـ النَّهْيُ أَنْ يُنَفَّرَ صَيْدُ الحَرَمِ

2889 ـ أَخْبَرَنَا سَعِيدُ بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**هٰذِهِ مَكَّةُ حَرَّمَهَا ٱللَّهُ عَزَّ وَجَلَّ يَوْمَ خَلَقَ السَّمٰوَاتِ وَالأَرْضَ لَمْ تَحِلَّ لأَحَدٍ قَبْلِي وَلاَ لأَحَدٍ بَعْدِي وَإِنَّمَا أُحِلَّتْ لِي سَاعَةً مِنْ نَهَارٍ وَهِيَ سَاعَتِي هٰذِهِ حَرَامٌ بِحَرَامِ ٱللَّهِ إِلَى يَوْمِ الْقِيَامَةِ لاَ يُخْتَلَى خَلاَهَا وَلاَ يُعْضَدُ شَجَرُهَا وَلاَ يُنَفَّرُ صَيْدُهَا وَلاَ تَحِلُّ لُقْطَتُهَا إِلاَّ لِمُنْشِدٍ**» فَقَامَ الْعَبَّاسُ وَكَانَ رَجُلاً مُجَرِّباً فَقَالَ: إِلاَّ الإِذْخِرَ فَإِنَّهُ لِبُيُوتِنَا وَقُبُورِنَا فَقَالَ: «**إِلاَّ الإِذْخِرَ**».

(121) ـ اسْتِقْبَالُ الحَجِّ

2890 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ زَنْجَوَيَةَ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ سُلَيْمَانَ عَنْ ثَابِتٍ عَنْ أَنَسٍ قَالَ: دَخَلَ النَّبِيُّ ﷺ مَكَّةَ فِي عُمْرَةِ الْقَضَاءِ وَٱبْنُ رَوَاحَةَ بَيْنَ يَدَيْهِ يَقُولُ:

خَلُّوا بَنِي الْكُفَّارِ عَنْ سَبِيلِهِ ... الْيَوْمَ نَضْرِبْكُمْ عَلَى تَأْوِيلِهِ

ضَرْباً يُزِيلُ الْهَامَ عَنْ مَقِيلِهِ ... وَيُذْهِلُ الْخَلِيلَ عَنْ خَلِيلِهِ

قَالَ عُمَرُ: يا ابنَ رَوَاحَةَ في حَرَمِ الله وَبَيْنَ يَدَيْ رَسُول الله ﷺ تَقُولُ هذا الشِّعر! فَقَال النَّبِيُّ ﷺ: «**خَلِّ عَنْهُ فَوَالَّذِي نَفْسِي بِيَدِهِ لَكَلاَمُهُ أَشَدُّ عَلَيْهِمْ مِنْ وَقْعِ النَّبْلِ**».

2891 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ عَنْ خَالِدٍ الْحَذَّاءِ عَنْ عِكْرِمٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ النَّبِيَّ ﷺ لَمَّا قَدِمَ مَكَّةَ ٱسْتَقْبَلَهُ أُغَيْلِمَةُ بَنِي هَاشِمٍ قَالَ: فَحَمَلَ وَاحِداً بَيْنَ يَدَيْهِ وَآخَرَ خَلْفَهُ.

(122) ـ تَرْكُ رَفْعِ الْيَدَيْنِ عند رُؤْيَةِ الْبَيْتِ

2892 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: سَمِعْتُ أَبَا قَزَعَةَ الْبَاهِلِيَّ يُحَدِّثُ عَنِ الْمُهَاجِرِ الْمَكِّيِّ قَالَ: سُئِلَ جَابِرُ بْنُ عَبْدِ ٱللَّهِ

Should he raise both his hands? On that he said: "I did not think that anyone barring the Jews did so (showing their desire for destroying it). We performed Hajj with The Messenger of Allah "Allah's blessing and peace be upon him", and we did not do so."

[123] Supplicating Allah On Seeing The House

2893- It is narrated on the authority of Abd Ar-Rahman Ibn Alqamah Ibn Tariq from his mother that she said: Whenever The Messenger of Allah "Allah's blessing and peace be upon him" came to (a high) place of the home of Ya'li (from which he was able to see the House), he would face the Qiblah and supplicate Allah.

[124] The Superiority Of Offering Prayer In The Sacred House

2894- It is narrated on the authority of Abdullah Ibn Umar that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "A single prayer to be offered in my mosque is superior to one thousand prayers to be offered in any mosque else, barring the Sacred Mosque (i.e. the Ka'bah, a prayer in which is superior to one hundred thousand prayers in any mosque else)."

2895- It is narrated on the authority of Maimunah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him" that she said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "A single prayer to be offered in my mosque is superior to one thousand prayers to be offered in any mosque else, barring the Sacred Mosque of Ka'bah (a prayer in which is superior to one hundred thousand prayers in any mosque else)."

2896- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "A single prayer to be offered in my mosque is superior to one thousand prayers to be offered in any mosque else, barring the Ka'bah (a prayer in which is superior to one hundred thousand prayers in any mosque else)."

[125] Building The Ka'bah

2897- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" said to her: "Do you know that when your people (Quraish) rebuilt the Ka'bah, they decreased it from its original foundations laid by Abraham?" I (A'ishah) said: "O Allah's Apostle! Why Do you not rebuild it on its original foundations laid by Abraham?" He replied: "Had it not been for the fact that your people are still close to the (time of) unbelief (because they have recently embraced Islam) I

عَنِ الرَّجُلِ يَرَى الْبَيْتَ أَيَرْفَعُ يَدَيْهِ قَالَ: مَا كُنْتُ أَظُنُّ أَحَداً يَفْعَلُ هٰذَا إِلاَّ الْيَهُودَ حَجَجْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ فَلَمْ نَكُنْ نَفْعَلُهُ.

(123) ـ الدُّعَاءُ عند رُؤْيَةِ البَيْتِ

2893 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا أَبُو عَاصِمٍ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: حَدَّثَنِي عُبَيْدُ ٱللَّهِ بْنُ أَبِي يَزِيدَ أَنَّ عَبْدَ الرَّحْمٰنِ بْنَ طَارِقِ بْنِ عَلْقَمَةَ أَخْبَرَهُ عَنْ أُمِّهِ: أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا جَاءَ مَكَاناً فِي دَارٍ يَعْلَى ٱسْتَقْبَلَ الْقِبْلَةَ وَدَعَاه.

(124) ـ فَضْلُ الصَّلاةِ فِي المَسْجِدِ الحَرَامِ

2894 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ وَمُحَمَّدُ بْنُ الْمُثَنَّى قَالاَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ مُوسَى بْنِ عَبْدِ ٱللَّهِ الْجُهَنِيِّ قَالَ: سَمِعْتُ نَافِعاً يَقُولُ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ عُمَرَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«صَلاَةٌ فِي مَسْجِدِي أَفْضَلُ مِنْ أَلْفِ صَلاَةٍ فِيمَا سِوَاهُ مِنَ الْمَسَاجِدِ إِلاَّ الْمَسْجِدَ الحَرَامِ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: لاَ أَعْلَمُ أَحَداً رَوَى هٰذَا الْحَدِيثَ عَنْ نَافِعٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ غَيْرَ مُوسَى الْجُهَنِيِّ وَخَالَفَهُ ٱبْنُ جُرَيْجٍ وَغَيْرُهُ.

2895 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ وَمُحَمَّدُ بْنُ رَافِعٍ قَالَ إِسْحَاقُ: أَنْبَأَنَا وَقَالَ مُحَمَّدٌ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: سَمِعْتُ نَافِعاً يَقُولُ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ عَبْدِ ٱللَّهِ بْنِ مَعْبَدِ بْنِ عَبَّاسٍ حَدَّثَهُ أَنَّ مَيْمُونَةَ زَوْجَ النَّبِيِّ ﷺ قَالَتْ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«صَلاَةٌ فِي مَسْجِدِي هٰذَا أَفْضَلُ مِنْ أَلْفِ صَلاَةٍ فِيمَا سِوَاهُ مِنَ الْمَسَاجِدِ إِلاَّ الْمَسْجِدَ الْكَعْبَةَ»**.

2896 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ سَعْدِ بْنِ إِبْرَاهِيمَ قَالَ: سَمِعْتُ أَبَا سَلَمَةَ قَالَ: سَأَلْتُ الأَغَرَّ عَنْ هٰذَا الْحَدِيثِ فَحَدَّثَ الأَغَرُّ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يُحَدِّثُ أَنَّ النَّبِيَّ ﷺ قَالَ: **«صَلاَةٌ فِي مَسْجِدِي هٰذَا أَفْضَلُ مِنْ أَلْفِ صَلاَةٍ فِيمَا سِوَاهُ مِنَ الْمَسَاجِدِ إِلاَّ الْكَعْبَةَ»**.

(125) ـ بِنَاءُ الكَعْبَةِ

2897 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنِ ٱبْنِ شِهَابٍ عَنْ سَالِمِ بْنِ عَبْدِ ٱللَّهِ، أَنَّ عَبْدَ ٱللَّهِ بْنَ مُحَمَّدِ بْنِ أَبِي بَكْرٍ الصِّدِّيقِ أَخْبَرَ عَبْدَ ٱللَّهِ بْنَ عُمَرَ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«أَلَمْ تَرَيْ أَنَّ**

would have done so." Abdullah (Ibn Umar) said: A'ishah must have heard this from Allah's Apostle "Allah's blessing and peace be upon him" for in my opinion Allah's Apostle "Allah's blessing and peace be upon him" left touching the two corners of the Ka'bah opposite Al-Hijr only because the Ka'bah was not rebuilt on its original foundations laid by Abraham.

2898- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Had it been for the fact that your people are still close to the (time of) unbelief (because they have recently embraced Islam), surely, I would have demolished the House, and rebuilt it on the foundations laid by Abraham "Peace be upon him", and made a back door for it, for when Quraish reconstructed it, they ran short (of money and consequently, they reduced it)."

2899- It is narrated on the authority of (A'ishah) the Mother of Believers, that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Had it been for the fact that my people (or your people) are still close to the (time of) ignorance (because they have recently embraced Islam), surely, I would have demolished the Ka'bah, and made two gates for it." Later on, when Ibn Az-Zubair became the ruler, he made two gates for it.

2900- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" said to her: "O A'ishah! Had your nation not been close to the Pre-Islamic Period of Ignorance, I would have had the House demolished and would have included in it the portion, which had been left. Then I would have made it at a level with the ground and would have made two doors for it, one towards the east and the other towards the west, for indeed, they (your people) ran short of rebuilding it (as it should be). By doing this it would have been built on the foundations laid by Abraham "Peace be upon him"." That was what prompted Ibn Az-Zubair to demolish the House. Yazid said: "I saw Ibn Az-Zubair when he demolished and rebuilt the House and included in it a portion of Al-Hijr (the unroofed portion of Ka'bah which is at present in the form of a compound towards the northwest of Ka'bah). I saw the original foundations of Abraham which were of stratified stones resembling the humps of camels."

2901- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The man of two thin legs belonging to Abyssinia will demolish the Ka'bah (towards the end of the time, a short while before the Day of Judgement)."

قَوْمَكِ حِينَ بَنَوُا الْكَعْبَةَ اقْتَصَرُوا عَنْ قَوَاعِدِ إِبْرَاهِيمَ عَلَيْهِ السَّلاَمُ؟» فَقُلْتُ: يَا رَسُولَ ٱللَّهِ أَلاَ تَرُدُّهَا عَلَى قَوَاعِدِ إِبْرَاهِيمَ عَلَيْهِ السَّلاَمُ؟ قَالَ: **«لَوْلاَ حِدْثَانُ قَوْمِكِ بِالْكُفْرِ»** فَقَالَ عَبْدُ ٱللَّهِ بْنُ عُمَرَ لَئِنْ كَانَتْ عَائِشَةُ سَمِعَتْ هٰذَا مِنْ رَسُولِ ٱللَّهِ ﷺ مَا أُرَى تَرْكَ ٱسْتِلاَمِ الرُّكْنَيْنِ اللَّذَيْنِ يَلِيَانِ الْحِجْرَ إِلاَّ أَنَّ الْبَيْتَ لَمْ يُتَمَّمْ عَلَى قَوَاعِدِ إِبْرَاهِيمَ عَلَيْهِ السَّلاَمُ.

2898 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدَةُ وَأَبُو مُعَاوِيَةَ قَالاَ: حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لَوْلاَ حَدَاثَةُ عَهْدِ قَوْمِكِ بِالْكُفْرِ لَنَقَضْتُ الْبَيْتَ فَبَنَيْتُهُ عَلَى أَسَاسِ إِبْرَاهِيمَ عَلَيْهِ السَّلاَمُ وَجَعَلْتُ لَهُ خَلْفاً فَإِنَّ قُرَيْشاً لَمَّا بَنَتِ الْبَيْتَ ٱسْتَقْصَرَتْ»**.

2899 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ وَمُحَمَّدُ بْنُ عَبْدِ الأَعْلَى عَنْ خَالِدٍ عَنْ شُعْبَةَ عَنْ أَبِي إِسْحَاقَ عَنِ الأَسْوَدِ أَنَّ أُمَّ الْمُؤْمِنِينَ قَالَتْ: إِنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لَوْلاَ أَنَّ قَوْمِي»** وَفِي حَدِيثِ مُحَمَّدٍ: **«قَوْمَكِ حَدِيثُ عَهْدٍ بِجَاهِلِيَّةٍ لَهَدَمْتُ الْكَعْبَةَ وَجَعَلْتُ لَهَا بَابَيْنِ»** «فَلَمَّا مَلَكَ ٱبْنُ الزُّبَيْرِ جَعَلَ لَهَا بَابَيْنِ.

2900 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ مُحَمَّدِ بْنِ سَلاَّمٍ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ قَالَ: أَنْبَأَنَا جَرِيرُ بْنُ حَازِمٍ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ رُومَانَ عَنْ عُرْوَةَ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ لَهَا: **«يَا عَائِشَةُ لَوْلا أَنَّ قَوْمَكِ حَدِيثُ عَهْدٍ بِجَاهِلِيَّةٍ لأَمَرْتُ بِالْبَيْتِ فَهُدِمَ فَأَدْخَلْتُ فِيهِ مَا أُخْرِجَ مِنْهُ وَأَلْزَقْتُهُ بِالأَرْضِ وَجَعَلْتُ لَهُ بَابَيْنِ بَاباً شَرْقِيّاً وَبَاباً غَرْبِيّاً فَإِنَّهُمْ قَدْ عَجَزُوا عَنْ بِنَائِهِ فَبَلَغَتْ بِهِ أَسَاسَ إِبْرَاهِيمَ عَلَيْهِ السَّلاَمُ»**. قَالَ: فَذٰلِكَ الَّذِي حَمَلَ ٱبْنَ الزُّبَيْرِ عَلَى هَدْمِهِ قَالَ يَزِيدُ: وَقَدْ شَهِدْتُ ٱبْنَ الزُّبَيْرِ حِينَ هَدَمَهُ وَبَنَاهُ وَأَدْخَلَ فِيهِ مِنَ الْحِجْرِ وَقَدْ رَأَيْتُ أَسَاسَ إِبْرَاهِيمَ عَلَيْهِ السَّلاَمُ حِجَارَةً كَأَسْنِمَةِ الإِبِلِ مُتَلاَحِكَةٌ.

2901 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ زِيَادِ بْنِ سَعْدٍ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«يُخَرِّبُ الْكَعْبَةَ ذُو السُّوَيْقَتَيْنِ مِنَ الْحَبَشَةِ»**.

[126] Entering The House

2902- It is narrated on the authority of Ibn Umar that he reached the Ka'bah, by the time The Messenger of Allah "Allah's blessing and peace be upon him", Usamah Ibn Zaid and Bilal had entered it, and Uthman Ibn Talhah had closed the door upon them. They spent some time there, after which he opened the door, and The Messenger of Allah "Allah's blessing and peace be upon him" came out. I ascended the grade and entered and asked them: "Where has The Messenger of Allah "Allah's blessing and peace be upon him" prayed?" they said: "Here." But, I forgot to ask them how much he prayed in the House.

2903- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" entered the House, in the company of Al-Fadl Ibn Abbas, Usamah Ibn Zaid, Uthman Ibn Talhah, and Bilal; and they closed the door upon themselves. He spent there as long as Allah willed him to spend, after which he came out. Ibn Umar said: Bilal was the first to meet, whom I asked: "Where has The Messenger of Allah "Allah's blessing and peace be upon him" prayed?" he said: "In (the area) between both pillars."

[127] The Place Of Prayer In The House

2904- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" entered the Ka'bah, and a short time before his exit, I found something (of which I liked to verify), and I went and returned soon, and saw The Messenger of Allah "Allah's blessing and peace be upon him" having come out. I asked Bilal: "Has The Messenger of Allah "Allah's blessing and peace be upon him" prayed in the House." He said: "Yes, he prayed two rak'ahs (in the area) between both pillars."

2905- It is narrated on the authority of Mujahid that he said: Somebody came to Ibn Umar in his house and said: " The Messenger of Allah "Allah's blessing and peace be upon him" has entered the Ka'bah." He said: I soon went and found The Messenger of Allah "Allah's blessing and peace be upon him" having come out, while Bilal was standing near the gate. I asked: "O Bilal! Has The Messenger of Allah "Allah's blessing and peace be upon him" prayed in the Ka'bah?" he said: "Yes." I further asked: "Where has he prayed?" he said: "He offered a two-rak'ah prayer in (the area) between those two pillars, and then he came out and offered further two rak'ahs in the front of the Ka'bah (alongside the gate)."

(126) ـ دُخُولُ البَيْتِ

2902 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا ٱبْنُ عَوْنٍ عَنْ نَافِعٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ: أَنَّهُ ٱنْتَهَى إِلَى الْكَعْبَةِ وَقَدْ دَخَلَهَا النَّبِيُّ ﷺ وَبِلاَلٌ وَأُسَامَةُ بْنُ زَيْدٍ وَأَجَافَ عَلَيْهِمْ عُثْمَانُ بْنُ طَلْحَةَ الْبَابَ فَمَكَثُوا فِيهَا مَلِيّاً ثُمَّ فَتَحَ الْبَابَ فَخَرَجَ النَّبِيُّ ﷺ وَرَكِبْتُ الدَّرَجَةَ وَدَخَلْتُ الْبَيْتَ فَقُلْتُ: أَيْنَ صَلَّى النَّبِيُّ ﷺ؟ قَالُوا: هٰهُنَا وَنَسِيتُ أَنْ أَسْأَلَهُمْ كَمْ صَلَّى النَّبِيُّ ﷺ فِي الْبَيْتِ.

2903 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: أَنْبَأَنَا ٱبْنُ عَوْنٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالَ: دَخَلَ رَسُولُ ٱللَّهِ ﷺ الْبَيْتَ وَمَعَهُ الْفَضْلُ بْنُ عَبَّاسٍ وَأُسَامَةُ بْنُ زَيْدٍ وَعُثْمَانُ بْنُ طَلْحَةَ وَبِلاَلٌ فَأَجَافُوا عَلَيْهِمُ الْبَابَ فَمَكَثَ فِيهِ مَا شَاءَ ٱللَّهُ ثُمَّ خَرَجَ. قَالَ ٱبْنُ عُمَرَ: كَانَ أَوَّلُ مَنْ لَقِيتُ بِلاَلاً قُلْتُ: أَيْنَ صَلَّى النَّبِيُّ ﷺ؟ قَالَ: مَا بَيْنَ الأُسْطُوَانَتَيْنِ.

(127) ـ مَوْضِعُ الصَّلاةِ فِي البَيْتِ

2904 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا السَّائِبُ بْنُ عُمَرَ قَالَ: حَدَّثَنِي ٱبْنُ أَبِي مُلَيْكَةَ أَنَّ ٱبْنَ عُمَرَ قَالَ: دَخَلَ رَسُولُ ٱللَّهِ ﷺ الْكَعْبَةَ وَدَنَا خُرُوجُهُ وَوَجَدْتُ شَيْئاً فَذَهَبْتُ وَجِئْتُ سَرِيعاً فَوَجَدْتُ رَسُولَ ٱللَّهِ ﷺ فَسَأَلْتُ بِلاَلاً: أَصَلَّى رَسُولُ ٱللَّهِ ﷺ فِي الْكَعْبَةِ؟ قَالَ: نَعَمْ رَكْعَتَيْنِ بَيْنَ السَّارِيَتَيْنِ.

2905 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا سَيْفُ ابْنُ سُلَيْمَانَ قَالَ: سَمِعْتُ مُجَاهِداً يَقُولُ: أُتِيَ ٱبْنُ عُمَرَ فِي مَنْزِلِهِ فَقِيلَ: هٰذَا رَسُولُ ٱللَّهِ ﷺ قَدْ دَخَلَ الْكَعْبَةَ فَأَقْبَلْتُ فَأَجِدُ رَسُولَ ٱللَّهِ ﷺ قَدْ خَرَجَ وَأَجِدُ بِلاَلاً عَلَى الْبَابِ قَائِماً فَقُلْتُ: يَا بِلاَلُ أَصَلَّى رَسُولُ ٱللَّهِ ﷺ فِي الْكَعْبَةِ؟ قَالَ: نَعَمْ قُلْتُ: أَيْنَ؟ قَالَ: مَا بَيْنَ هَاتَيْنِ الأُسْطُوَانَتَيْنِ رَكْعَتَيْنِ ثُمَّ خَرَجَ فَصَلَّى رَكْعَتَيْنِ فِي وَجْهِ الْكَعْبَةِ.

2906- It is narrated on the authority of Usamah Ibn Zaid that he said: The Messenger of Allah "Allah's blessing and peace be upon him" entered the Ka'bah, and glorified and magnified Allah in its different sides, but he offered no prayer there. Then, he came out, and offered a two-rak'ah prayer behind the Station of Abraham, and then said: "This is the Qiblah."

[128] The Hijr

2907- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Had the people not been still close to the time of unbelief (since they embraced Islam very recently), and had it not been for the fact that I have no enough spendings to afford for its (the Ka'bah's) reconstruction, surely, I would have included in it five cubits from the Hijr, and made a gate for the people to enter, and another for them to exit."

2908- It is narrated on the authority of A'ishah that she said: I said: "O Messenger of Allah! Should I not enter the House (to pray there)?" he said: "(It is enough for you to) enter the Hijr, for it is a part of it."

[129] Offering Prayer In The Hijr

2909- It is narrated on the authority of A'ishah that she said: I liked to enter the House and offer prayer there, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" caught hold of my hand and made me enter the Hijr and said: "When you intend to enter the House, offer prayer here (in the Hijr), for indeed, it is a portion of it, but your people reduced it from the House when they rebuilt it."

[130] magnifying Allah in the different sides of the Ka'bah

2910- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" did not pray in the Ka'bah, but he rather magnified Allah in its different sides.

[131] Celebrating And Supplicating (Allah) In The House

2911- It is narrated on the authority of Usamah Ibn Zaid that he and The Messenger of Allah "Allah's blessing and peace be upon him" entered the House, and he ordered Bilal to close the door upon them, and at that time, the House was based on six pillars. He went until he was between both pillars next to the gate of the Ka'bah, he sat, praised Allah and lauded Him, then begged Him, and asked for His Forgiveness. Then, he stood until he came to such of the back portion of the Ka'bah as he was facing, upon which he placed his face and cheek. Then, he praised Allah and lauded Him, begged Him and asked for His Forgiveness. Then, he turned to every corner of the Ka'bah, and faced it with magnification, bearing testimony of Allah's

2906 ـ أَخْبَرَنَا حَاجِبُ بْنُ سُلَيْمَانَ الْمُنْبِجِيُّ عَنِ ٱبْنِ أَبِي رَوَّادٍ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ عَنْ عَطَاءٍ عَنْ أُسَامَةَ بْنِ زَيْدٍ قَالَ: دَخَلَ رَسُولُ ٱللَّهِ ﷺ الْكَعْبَةَ فَسَبَّحَ فِي نَوَاحِيهَا وَكَبَّرَ وَلَمْ يُصَلِّ ثُمَّ خَرَجَ فَصَلَّى خَلْفَ الْمَقَامِ رَكْعَتَيْنِ ثُمَّ قَالَ: «هٰذِهِ الْقِبْلَةُ».

(128) ـ الحِجْرُ

2907 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنِ ٱبْنِ أَبِي زَائِدَةَ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي سُلَيْمَانَ عَنْ عَطَاءٍ قَالَ ٱبْنُ الزُّبَيْرِ: سَمِعْتُ عَائِشَةَ تَقُولُ: إِنَّ النَّبِيَّ ﷺ قَالَ: **«لَوْلاَ أَنَّ النَّاسَ حَدِيثٌ عَهْدُهُمْ بِكُفْرٍ وَلَيْسَ عِنْدِي مِنَ النَّفَقَةِ مَا يُقَوِّي عَلَى بِنَائِهِ لَكُنْتُ أَدْخَلْتُ فِيهِ مِنَ الْحِجْرِ خَمْسَةَ أَذْرُعٍ وَجَعَلْتُ لَهُ بَاباً يَدْخُلُ النَّاسُ مِنْهُ وَبَاباً يُخْرِجُونَ مِنْهُ»**.

2908 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سَعِيدٍ الرِّبَاطِيُّ قَالَ: حَدَّثَنَا وَهْبُ بْنُ جَرِيرٍ قَالَ: حَدَّثَنَا قُرَّةُ بْنُ خَالِدٍ عن عَبْدِ الحَمِيدِ بْنِ جُبَيْرٍ عن عَمَّتِهِ صَفِيَّة بنت شَيْبَةَ قالت: حَدَّثَتْنَا عائشةُ قالت: قُلْتُ يا رسول الله ألا أَدْخُلُ البيت؟ قَالَ: **«ادْخُلِي الحِجْرَ فإِنَّهُ مِنَ البَيْتِ»**.

(129) ـ الصَّلاةُ في الحِجْرِ

2909 ـ أَخْبَرَنَا إسحاقُ بن إبراهيم قَالَ: أنبأنا عَبْدُ العزيز بْنُ مُحَمَّدٍ قَالَ: حدثني عَلْقَمَةُ بْنُ أبي عَلْقَمَةَ عن أُمِّهِ عن عَائِشَةَ قالت: كنتُ أحبُّ أن أدْخُلَ البَيْتَ فأصلِّي فيه فأخذ رَسُولُ ٱللَّهِ ﷺ بيدي فأدخلني الحِجْرَ فقَالَ: **«إذا أَرَدْتَ دُخُولَ البَيْتِ فصَلِّي هٰهُنا فإنَّما هو قِطْعَةٌ مِنَ البَيْتِ ولكنَّ قَوْمَكِ اقْتَصَرُوا حَيْثُ بَنَوْهُ»**.

(130) ـ التَّكْبِيرُ في نَوَاحِي الكَعْبَةِ

2910 ـ أَخْبَرَنَا قتيبةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ عَمْرٍو أن ابْنِ عَبَّاسٍ قَالَ: لم يُصَلِّ النبيُّ ﷺ في الكَعْبَةِ ولكنه كبَّر في نواحيه.

(131) ـ الذِّكْرُ والدُّعَاءُ في البَيْتِ

2911 ـ أَخْبَرَنَا يَعقوب بن إبراهيم قَالَ: حَدَّثَنَا يَحيىٰ قَالَ: حَدَّثَنَا عَبْد المَلك بن أبي سُلَيمَان قَالَ: حَدَّثَنَا عَطَاء عَنْ أُسَامَة بن زَيد أنَّهُ: دَخَلَ هُوَ ورَسُولُ ٱللَّهِ ﷺ البَيْت فَأَمَرَ بِلالاً فأجاف البَاب والبَيْت إِذْ ذَاكَ عَلىٰ سَبْعةِ أَعْمِدَة فَمَضَى حتَّى إِذَا كَانَ بَيْنَ الاسْطوَانَتَيْن اللَّتَين تَلِيَان البَاب الكَعْبَة جَلَسَ فَحَمَد الله وأَثنَى عَلَيهِ وسَأَله واسْتَغْفَرَه، ثُمَّ قَامَ حتَّى أَتَى ما اسْتَقْبَل من دُبر الكَعْبة فَوَضَع وَجهَه وَخَدَّه عَلَيهِ وَحَمد الله وأَثنَى عَلَيهِ وسَأَله واسْتَغْفَرَه، ثُمَّ انصَرَف إلى كُل رُكْنٍ مِن أَركَانِ الكَعْبَة فَاسْتَقْبَلَه بِالتَّكبِيرِ

Oneness, glorification, praising and lauding Allah Almighty, begging Allah, and asking for His Forgiveness. Then, he came out and offered a two-rak'ah prayer facing the front part of the Ka'bah, after which he turned away and said: "This is the Qiblah! This is the Qiblah!"

[132] Placing Both Breast And Face Upon Such Of Ka'bah's Back Part As One Is Facing

2912- It is narrated on the authority of Usamah Ibn Zaid that he said: I entered the House in the company of The Messenger of Allah "Allah's blessing and peace be upon him", and he sat, praised Allah and lauded Him, magnified Him and bore witness to His Oneness. Then, he inclined to what is in front of him from the House, and placed his breast, cheek and hands upon it, then magnified Allah, bore witness to His Oneness, and supplicated. He did the same at all the corners. Then, he came out and faced the Qiblah, while he was at the gate and said: "This is the Qiblah! This is the Qiblah!"

[133] The Place Of Prayer In The Ka'bah

2913- It is narrated on the authority of Usamah Ibn Zaid that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came out of the Ka'bah and offered a two-rak'ah prayer facing the front portion of the Ka'bah, and said: "This is the Qiblah."

2914- It is narrated on the authority of Ibn Abbas that he said: Usamah Ibn Zaid told me that The Messenger of Allah "Allah's blessing and peace be upon him" entered the House, and invoked (Allah) in all of its sides, but he offered no prayer in it until he came out of it. When he came out he offered a two-rak'ah prayer facing the front part of the Ka'bah.

2915- It is narrated on the authority of Abdullah Ibn As-Sa'ib that he used to lead Ibn Abbas (when he became blind at the latest portion of his life), and make him stand at the third side, next to the Corner following the (Black) Stone, by the side of the gate (of the Ka'bah). Ibn Abbas said to him: "Have you not been informed that The Messenger of Allah "Allah's blessing and peace be upon him" used to offer prayer at that very place?" he answered in the affirmative, and he moved forward and prayed.

[134] The Excellence Of Circumambulating The House

2916- It is narrated on the authority of Abdullah Ibn Ubaid Ibn Umair that a man said (to Ibn Umar): "O Abu Abd Ar-Rahman! I see you touching only those two corners (the Yemenite corner and the corner of the Black Stone when you circumambulate the House)." On that he said: "No doubt, I heard The Messenger of Allah "Allah's blessing and peace be

والتَّهلِيلِ والتَّسبِيحِ والثَّنَاءِ عَلى الله والمَسألة والاسْتِغْفَار ثُمَّ خَرَج فَصَلَّى رَكعتَين مُستقبلاً وجْه الكَعْبَة ثُمَّ انصَرَفَ فَقَالَ: «هٰذِه القِبْلَة هٰذِهِ القِبْلَةُ».

(132) ـ وَضْعُ الصَّدْرِ والوَجْهِ على ما اسْتُقْبِلَ مِنْ دُبُرِ الكَعْبَةِ

2912 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: أَنْبَأَنَا عَبْدُ الْمَلِكِ عَنْ عَطَاءٍ عَنْ أُسَامَةَ بْنِ زَيْدٍ قَالَ: دَخَلْتُ مَعَ رَسُولِ ٱللَّهِ ﷺ الْبَيْتَ فَجَلَسَ فَحَمِدَ ٱللَّهَ وَأَثْنَى عَلَيْهِ وَكَبَّرَ وَهَلَّلَ ثُمَّ مَالَ إِلَى مَا بَيْنَ يَدَيْهِ مِنَ الْبَيْتِ فَوَضَعَ صَدْرَهُ عَلَيْهِ وَخَدَّهُ وَيَدَيْهِ ثُمَّ كَبَّرَ وَهلَّلَ وَدَعَا فَعَلَ ذٰلِكَ بِالأَرْكَانِ كُلِّهَا ثُمَّ خَرَجَ فَأَقْبَلَ عَلَى الْقِبْلَةِ وَهُوَ عَلَى الْبَابِ فَقَالَ: «هٰذِهِ الْقِبْلَةُ هٰذِهِ الْقِبْلَةُ».

(133) ـ مَوْضِعُ الصَّلاةِ من الكَعْبَةِ

2913 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ عَبْدِ الْمَلِكِ عَنْ عَطَاءٍ عَنْ أُسَامَةَ قَالَ: خَرَجَ رَسُولُ ٱللَّهِ ﷺ مِنَ الْبَيْتِ صَلَّى رَكْعَتَيْنِ فِي قُبُلِ الْكَعْبَةِ ثُمَّ قَالَ: «هٰذِهِ الْقِبْلَةُ».

2914 ـ أَخْبَرَنَا أَبُو عَاصِمٍ خُشَيْشُ بْنُ أَصْرَمَ النَّسَائِيُّ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا ابْنُ جُرَيجٍ عَنْ عَطَاءٍ قَالَ: سَمِعْتُ ٱبْنَ عَبَّاسٍ يَقُولُ: أَخْبَرَنِي أُسَامَةُ بْنُ زَيْدٍ: أَنَّ النَّبِيَّ ﷺ دَخَلَ الْبَيْتَ فَدَعَا فِي نَوَاحِيهِ كُلِّهَا وَلَمْ يُصَلِّ فِيهِ حَتَّى خَرَجَ مِنْهُ فَلَمَّا خَرَجَ رَكَعَ رَكْعَتَيْنِ فِي قُبُلِ الْكَعْبَةِ.

2915 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنِي السَّائِبُ بْنُ عُمَرَ قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ السَّائِبِ عَنْ أَبِيهِ: أَنَّهُ كَانَ يَقُودُ ٱبْنَ عَبَّاسٍ وَيُقِيمُهُ عِنْدَ الشُّقَّةِ الثَّالِثَةِ مِمَّا يَلِي الرُّكْنَ الَّذِي يَلِي الْحَجَرَ مِمَّا يَلِي الْبَابَ فَقَالَ ٱبْنُ عَبَّاسٍ: أَمَا أُنْبِئْتَ أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ يُصَلِّي هٰهُنَا؟ فَيَقُولُ: نَعَمْ. فَيَتَقَدَّمُ فَيُصَلِّي.

(134) ـ ذِكْرُ الفَضْلِ في الطَّوَافِ بالبَيْتِ

2916 ـ حَدَّثَنَا أَبُوْ عَبْدِ الرَّحْمٰنِ أَحْمَدُ بْنُ شُعَيْبٍ مِنْ لَفْظِهِ قَالَ: أَنْبَأَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ عَطَاءٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عُبَيْدِ بْنِ عُمَيْرٍ أَنَّ رَجُلاً قَالَ: يَا أَبَا عَبْدِ الرَّحْمٰنِ مَا أَرَاكَ تَسْتَلِمُ إِلاَّ هٰذَيْنِ الرُّكْنَيْنِ قَالَ: إِنِّي سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ

upon him" having said: "Touching them plots out sins." I heard him having said too: "The seven-round circumambulation (round the House) is equal (in reward) to (the emancipation of) a slave."

[135] What About Speech During Circumambulation?

2917- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" came during his circumambulation round the Ka'bah upon a man being led by another with the help of a nose-string. On that The Messenger of Allah "Allah's blessing and peace be upon him" cut it with his hand, and ordered him to lead him by his hand.

2918- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" came (during his circumambulation round the Ka'bah) upon a man being led by another with the help of something in fulfillment of a vow he had taken. On that The Messenger of Allah "Allah's blessing and peace be upon him" caught hold of it and cut it with his hand. The man said: "It is due to a vow."

[136] It Is Permissible To Speak During Circumambulation

2919- It is narrated on the authority of Tawus from a man who caught up with The time of the Messenger of Allah "Allah's blessing and peace be upon him", that The Messenger of Allah "Allah's blessing and peace be upon him" said: "The circumambulation round the House acts as prayer (in reward and sticking to the Ka'bah): so, reduce your speech during it (as possible as it could be)."

2920- It is narrated on the authority of Tawus that Abdullah Ibn Umar said: "Make little your speech during the circumambulation (round the House), for indeed, you are (considered to be as if) in prayer."

[137] Circumambulation Is Permissible At All Times

2921- It is narrated on the authority of Jubair Ibn Mut'im that The Messenger of Allah "Allah's blessing and peace be upon him" said: "O Banu Abd Manaf! Do not prevent anyone from circumambulating or praying in the House at any time he likes to do at night or during the day."

[138] The Way A Patient Offers Circumambulation

2922- It is narrated on the authority of Umm Salamah that she said: I complained to The Messenger of Allah "Allah's blessing and peace be upon him" that I was suffering, thereupon he said to me: "Perform circumambulation while riding from behind the people." I circumambulated

يَقُولُ: «**إِنَّ مَسْحَهُمَا يَحُطَّانِ الْخَطِيئَةَ**» وسَمِعْتُهُ يَقُولُ: «**مَنْ طَافَ سَبْعاً فَهُوَ كَعِدْلِ رَقَبَةٍ**».

(135) ـ الكَلامُ في الطَّوَافِ

2917 ـ أَخْبَرَنَا يُوسُفُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي سُلَيْمَانُ الأَحْوَلُ أَنَّ طَاوُساً أَخْبَرَهُ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ النَّبِيَّ ﷺ مَرَّ وَهُوَ يَطُوفُ بِالْكَعْبَةِ بِإِنْسَانٍ يَقُودُهُ إِنْسَانٌ بِخِزَامَةٍ فِي أَنْفِهِ فَقَطَعَهُ النَّبِيُّ ﷺ بِيَدِهِ ثُمَّ أَمَرَهُ أَنْ يَقُودَهُ بِيَدِهِ.

2918 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: حَدَّثَنِي سُلَيْمَانُ الأَحْوَلُ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ: قَالَ: مَرَّ رَسُولُ ٱللَّهِ ﷺ بِرَجُلٍ يَقُودُهُ رَجُلٌ بِشَيْءٍ ذَكَرَهُ فِي نَذْرٍ فَتَنَاوَلَهُ النَّبِيُّ ﷺ فَقَطَعَهُ قَالَ: «**إِنَّهُ نَذْرٌ**».

(136) ـ إِبَاحَةُ الكَلامِ في الطَّوَافِ

2919 ـ أَخْبَرَنَا يُوسُفُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي الْحَسَنُ بْنُ مُسْلِمٍ ح. وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ أَخْبَرَنِي ٱبْنُ جُرَيْجٍ عَنِ الْحَسَنِ بْنِ مُسْلِمٍ عَنْ طَاوُسٍ عَنْ رَجُلٍ أَدْرَكَ النَّبِيَّ ﷺ قَالَ: «**الطَّوَافُ بِالْبَيْتِ صَلاَةٌ فَأَقِلُّوا مِنَ الْكَلاَمِ**» اللَّفْظُ لِيُوسُفَ خَالَفَهُ حَنْظَلَةُ بْنُ أَبِي سُفْيَانَ.

2920 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سُلَيْمَانَ قَالَ: أَنْبَأَنَا الشَّيْبَانِيُّ عَنْ حَنْظَلَةَ بْنِ أَبِي سُفْيَانَ عَنْ طَاوُسٍ قَالَ: قَالَ عَبْدُ ٱللَّهِ بْنُ عُمَرَ: «**أَقِلُّوا الْكَلاَمَ فِي الطَّوَافِ فَإِنَّمَا أَنْتُمْ فِي الصَّلاَةِ**».

(137) ـ إِبَاحَةُ الطَّوافِ في كُلِّ الأَوْقَاتِ

2921 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنَا أَبُو الزُّبَيْرِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ بَابَاهُ عَنْ جُبَيْرِ بْنِ مُطْعِمٍ أَنَّ النَّبِيَّ ﷺ قَالَ: «**يَا بَنِي عَبْدِ مَنَافٍ لاَ تَمْنَعُنَّ أَحَداً طَافَ بِهٰذَا الْبَيْتِ وَصَلَّى أَيَّ سَاعَةٍ شَاءَ مِنْ لَيْلٍ أَوْ نَهَارٍ**».

(138) ـ كَيْفَ طَوَافُ المَرِيضِ

2922 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ نَوْفَلٍ عَنْ عُرْوَةَ عَنْ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ عَنْ أُمِّ سَلَمَةَ قَالَتْ: شَكَوْتُ إِلَى رَسُولِ ٱللَّهِ ﷺ أَنِّي أَشْتَكِي

(the House) while The Messenger of Allah "Allah's blessing and peace be upon him" was offering prayer by the side of the House, in which he was reciting the Surah of At-Tur.

[139] Men And Women Perform Circumambulation Together

2923- It is narrated on the authority of Umm Salamah that she said: "O Messenger of Allah! I did not perform the circumambulation of arrival." The Messenger of Allah "Allah's blessing and peace be upon him" said: "When the prayer is established, circumambulate while riding your camel from behind the people."

2924- It is narrated on the authority of Umm Salamah that when she arrived in Mecca, she was ill. She made a mention of that to The Messenger of Allah "Allah's blessing and peace be upon him", who said: "Circumambulate while riding from behind the praying men." She said: "I heard The Messenger of Allah "Allah's blessing and peace be upon him" reciting the Surah of At-Tur while being by the side of the Ka'bah.

[140] Offering Circumambulation Round The House On A Mount

2925- It is narrated on the authority of A'ishah that she said: During his farewell Hajj, The Messenger of Allah "Allah's blessing and peace be upon him" circumambulated round the House while riding his camel, and he was pointing to the corner (of the Black Stone) with his bent headed-stick.

[141] The Way of Circumambulation Of Such As Assumes Ihram For Hajj Solely

2926- It is narrated on the authority of Wabarah that he said: I heard Ibn Umar in his reply to a man who asked him: "Should I circumambulate the House since I assumed Ihram for Hajj?" he said: "What does prevent you from doing so?" he said: "I saw Abdullah Ibn Abbas having forbidden that, and you are dearer to us than him." On that he said: "We saw The Messenger of Allah "Allah's blessing and peace be upon him" having assumed Ihram for Hajj: he circumambulated the House, and compassed Safa and Marwah round."

[142] The Way Of Circumambulation Of Such As Assumes Ihram For Umrah Solely

2927- It is narrated on the authority of Amr that he said: I heard Ibn Umar after we had asked him about a man who assumed Ihram for Umrah solely, thereupon he circumambulated the House, but did not compass Safa and Marwah round: could he be able to (put off Ihram and)

فَقَالَ: «**طُوفِي مِنْ وَرَاءِ النَّاسِ وَأَنْتِ رَاكِبَةٌ**» فَطُفْتُ وَرَسُولُ ٱللَّهِ ﷺ يُصَلِّي إِلَى جَنْبِ الْبَيْتِ يَقْرَأُ بِالطُّورِ وَكِتَابٍ مَسْطُورٍ.

(139) ـ طَوَافُ الرِّجَالِ مَعَ النِّسَاءِ

2923 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ آدَمَ عَنْ عَبْدَةَ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ أُمِّ سَلَمَةَ قَالَتْ: يَا رَسُولَ ٱللَّهِ وَٱللَّهِ مَا طُفْتُ طَوَافَ الْخُرُوجِ فَقَالَ النَّبِيُّ ﷺ: «**إِذَا أُقِيمَتِ الصَّلاَةُ فَطُوفِي عَلَى بَعِيرِكِ مِنْ وَرَاءِ النَّاسِ**». عُرْوَةُ لَمْ يَسْمَعْهُ مِنْ أُمِّ سَلَمَةَ.

2924 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ عَنْ مَالِكٍ عَنْ أَبِي الأَسْوَدِ عَنْ عُرْوَةَ عَنْ زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ عَنْ أُمِّ سَلَمَةَ: أَنَّهَا قَدِمَتْ مَكَّةَ وَهِيَ مَرِيضَةٌ فَذَكَرَتْ ذٰلِكَ لِرَسُولِ ٱللَّهِ ﷺ فَقَالَ: «**طُوفِي مِنْ وَرَاءِ الْمُصَلِّينَ وَأَنْتِ رَاكِبَةٌ**» قَالَتْ: فَسَمِعْتُ رَسُولَ ٱللَّهِ ﷺ وَهُوَ عِنْدَ الْكَعْبَةِ يَقْرَأُ وَالطُّورِ.

(140) ـ الطَّوافُ بالبَيْتِ على الرَّاحِلَةِ

2925 ـ أَخْبَرَنِي عَمْرُو بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا شُعَيْبٌ وَهُوَ ٱبْنُ إِسْحَاقَ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: طَافَ رَسُولُ ٱللَّهِ ﷺ فِي حَجَّةِ الْوَدَاعِ حَوْلَ الْكَعْبَةِ عَلَى بَعِيرٍ يَسْتَلِمُ الرُّكْنَ بِمِحْجَنِهِ.

(141) ـ طَوافُ مَنْ أَفْرَدَ الحَجَّ

2926 ـ أَخْبَرَنَا عَبْدَةُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا سُوَيْدٌ وَهُوَ ٱبْنُ عَمْرٍو الْكَلْبِيُّ عَنْ زُهَيْرٍ قَالَ: حَدَّثَنَا بَيَانٌ أَنَّ وَبْرَةَ حَدَّثَهُ قَالَ: سَمِعْتُ عَبْدَ ٱللَّهِ بْنَ عُمَرَ وَسَأَلَهُ رَجُلٌ أَطُوفُ بِالْبَيْتِ وَقَدْ أَحْرَمْتُ؟ بِالْحَجِّ قَالَ: وَمَا يَمْنَعُكَ؟ قَالَ: رأَيْتُ عَبْدَ ٱللَّهِ بْنَ عَبَّاسٍ يَنْهَى عَنْ ذٰلِكَ وَأَنْتَ أَعْجَبُ إِلَيْنَا مِنْهُ قَالَ: رَأَيْنَا رَسُولَ ٱللَّهِ ﷺ أَحْرَمَ بِالْحَجِّ فَطَافَ بِالْبَيْتِ وَسَعَى بَيْنَ الصَّفَا وَالْمَرْوَةِ.

(142) ـ طَوافُ مَنْ أَهَلَّ بِعُمْرَةٍ

2927 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو قَالَ: سَمِعْتُ ٱبْنَ عُمَرَ وَسَأَلْنَاهُ عَنْ رَجُلٍ قَدِمَ مُعْتَمِراً فَطَافَ بِالْبَيْتِ وَلَمْ يَطُفْ بَيْنَ الصَّفَا وَالْمَرْوَةِ أَيَأْتِي أَهْلَهُ قَالَ: لَمَّا قَدِمَ رَسُولُ ٱللَّهِ ﷺ فَطَافَ سَبْعاً وَصَلَّى خَلْفَ الْمَقَامِ رَكْعَتَيْنِ

have sexual relation with his wife? On that he said: "When The Messenger of Allah "Allah's blessing and peace be upon him" came, he circumambulated (the House) seven rounds, offered a two-rak'ah prayer behind the Station of Abraham, and compassed Safa and Marwah round. Indeed, in the Messenger of Allah, you should have a good pattern."

[143] What Should Such As Assumes Ihram For Both Hajj And Umrah Jointly, And Has No Sacrificial Animal With Him Do?

2928- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" set out and we set out with him; and when he reached Dhul-Hulaifah, he offered Zhuhr prayer and then rode his mount, and when it stood right with him on Baida', he assumed Ihram for both Hajj and Umrah jointly, and so did we with him. When The Messenger of Allah "Allah's blessing and peace be upon him" arrived in Mecca, and we offered circumambulation, he ordered such of people (as had no sacrificial animals with them) to put off Ihram. The people were scared, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said to them: "Had I not had the sacrificial animals with me, surely, I would have put off Ihram." In this way the people put off Ihram, and (did everything that was unlawful for them to the extent that) they approached their women. But, The Messenger of Allah "Allah's blessing and peace be upon him" did not put off Ihram, nor did he (get his head shaved nor did he) cut short his hair except on the day of Sacrifice.

[144] The Way Of Circumambulation Of Such As Assumes Ihram For Both Hajj And Umrah Jointly

2929- It is narrated on the authority of Nafi' that Ibn Umar assumed Ihram for both Hajj and Umrah jointly, for which he performed a single circumambulation and said: "I saw The Messenger of Allah "Allah's blessing and peace be upon him" having done so."

2930- It is narrated on the authority of Nafi' that he said: Ibn Umar set out until he reached Dhul-Hulaifah, where he assumed Ihram for Umrah. He proceeded on for a while and when he felt afraid he might be kept off the House he said: "If I'm detained from it, I would do the same as The Messenger of Allah "Allah's blessing and peace be upon him" did." He added: "By Allah! The way of Hajj is but similar to that of Umrah. Be witness that I made Hajj binding upon me along with Umrah." Then, he proceeded on until he reached (the place of) Qudaid, from which he bought a sacrificial animal. (When he reached Mecca) he offered (a seven-round) circumambulation round the House and between Safa and Marwah for both

وَطَافَ بَيْنَ الصَّفَا وَالْمَرْوَةِ وَقَدْ كَانَ لَكُمْ فِي رَسُولِ ٱللَّهِ أُسْوَةٌ حَسَنَةٌ.

(143) ـ كَيْفَ يَفْعَلُ مَنْ أَهَلَّ بالحَجِّ والعُمْرَةِ ولم يَسُقِ الهَدْيَ

2928 ـ أَخْبَرَنَا أَحْمَدُ بْنُ الأَزْهَرِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ الأَنْصَارِيُّ قَالَ: حَدَّثَنَا أَشْعَثُ عَنِ الْحَسَنِ عَنِ أَنَسٍ قَالَ: خَرَجَ رَسُولُ ٱللَّهِ ﷺ وَخَرَجْنَا مَعَهُ فَلَمَّا بَلَغَ ذَا الْحُلَيْفَةِ صَلَّى الظُّهْرَ ثُمَّ رَكِبَ رَاحِلَتَهُ فَلَمَّا ٱسْتَوَتْ بِهِ عَلَى الْبَيْدَاءِ أَهَلَّ بِالْحَجِّ وَالْعُمْرَةِ جَمِيعاً فَأَهْلَلْنَا مَعَهُ فَلَمَّا قَدِمَ رَسُولُ ٱللَّهِ ﷺ مَكَّةَ وَطُفْنَا أَمَرَ النَّاسَ أَنْ يَحِلُّوا فَهَابَ الْقَوْمُ فَقَالَ لَهُمْ رَسُولُ ٱللَّهِ ﷺ: «**لَوْلاَ أَنَّ مَعِي الْهَدْيَ لأَحْلَلْتُ**» فَحَلَّ الْقَوْمُ حَتَّى حَلُّوا إِلَى النِّسَاءِ وَلَمْ يَحِلَّ رَسُولُ ٱللَّهِ ﷺ وَلَمْ يُقَصِّرْ إِلَى يَوْمِ النَّحْرِ.

(144) ـ طَوَافُ القَارِنِ

2929 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَيُّوبَ بْنِ مُوسَى عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: قَرَنَ الْحَجَّ وَالْعُمْرَةَ فَطَافَ طَوَافاً وَاحِداً وَقَالَ: هٰكَذَا رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَفْعَلُهُ.

2930 ـ أَخْبَرَنَا عَلِيُّ بْنُ مَيْمُونٍ الرَّقِّيُّ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَيُّوبَ السَّخْتِيَانِيِّ وَأَيُّوبُ بْنُ مُوسَى وَإِسْمَاعِيلُ بْنُ أُمَيَّةَ وَعُبَيْدُ ٱللَّهِ بْنُ عُمَرَ عَنْ نَافِعٍ قَالَ: خَرَجَ عَبْدُ ٱللَّهِ بْنُ عُمَرَ فَلَمَّا أَتَى ذَا الْحُلَيْفَةَ أَهَلَّ بِالْعُمْرَةِ فَسَارَ قَلِيلاً فَخَشِيَ أَنْ يُصَدَّ عَنِ الْبَيْتِ فَقَالَ: إِنْ صُدِدْتُ صَنَعْتُ كَمَا صَنَعَ رَسُولُ ٱللَّهِ ﷺ قَالَ: وَٱللَّهِ مَا سَبِيلُ الْحَجِّ إِلاَّ سَبِيلُ الْعُمْرَةِ أُشْهِدُكُمْ أَنِّي قَدْ أَوْجَبْتُ مَعَ عُمْرَتِي حَجّاً فَسَارَ حَتَّى أَتَى قُدَيْداً فَاشْتَرَى مِنْهَا هَدْياً ثُمَّ قَدِمَ مَكَّةَ فَطَافَ بِالْبَيْتِ سَبْعاً وَبَيْنَ الصَّفَا وَالْمَرْوَةِ وَقَالَ: هٰكَذَا

(Hajj and Umrah). Then, he said: "I saw The Messenger of Allah "Allah's blessing and peace be upon him" having done the same."

2931- It is narrated on the authority of Jabir Ibn Abdullah that The Messenger of Allah "Allah's blessing and peace be upon him" performed a single circumambulation (for both Hajj and Umrah).

[145] The Black Stone

2932- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" said: "The Black Stone is one of the things of the Garden."

[146] Touching The Black Stone

2933- It is narrated on the authority of Suwaid Ibn Ghafalah that he said: Umar kissed the Black Stone and touched it while saying: "No doubt, I saw Abu Al-Qasim The Messenger of Allah "Allah's blessing and peace be upon him" having admiration for you."

[147] Kissing The (Black) Stone

2934- It is narrated on the authority of Abis Ibn Rabie'ah that he said: I saw Umar having approached the (Black) Stone and said: "I know, with certainty, that you are no more than a stone (which neither benefits nor harms), and had I not seen The Messenger of Allah "Allah's blessing and peace be upon him" having kissed you, surely, I would not have kissed you." Then, he approached and kissed it.

[148] How Should It Be Kissed?

2935- It is narrated on the authority of Hanzalah that he said: I saw that whenever Tawus came upon the corner (of the Black Stone) and found crowds there, he would pass, and not race to have a place in the crowd, and whenever he found it empty, he would approach and kiss it thrice. He said: I saw Ibn Abbas having done the like of this, and he (Ibn Abbas) said: I saw Umar Ibn Al-Khattab having done the like of this and said: "You are not but a stone, which neither benefits nor harms, and had I not seen The Messenger of Allah "Allah's blessing and peace be upon him" having kissed you, I would not have kissed you." He then added: " I saw The Messenger of Allah "Allah's blessing and peace be upon him" having done the like of this."

[149] How Should One Commence Circumambulation?

2936- It is narrated on the authority of Jabir that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" reached Mecca, he entered the mosque and touched the (corner of the Black) Stone

رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ فَعَلَ.

2931 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ مَهْدِيٍّ أَخْبَرَنِي هَانِىءُ بْنُ أَيُّوبَ عَنْ طَاوُسٍ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ: «أَنَّ النَّبِيَّ ﷺ طَافَ طَوَافاً وَاحِداً».

(145) ـ ذِكْرُ الحَجَرِ الأَسْوَدِ

2932 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا مُوسَى بْنُ دَاوُدَ عَنْ حَمَّادِ بْنِ سَلَمَةَ عَنْ عَطَاءِ بْنِ السَّائِبِ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ النَّبِيَّ ﷺ قَالَ: **«الْحَجَرُ الأَسْوَدُ مِنَ الْجَنَّةِ»**.

(146) ـ اسْتِلامُ الحَجَرِ الأَسْوَدِ

2933 ـ أَخْبَرَنَا مَحمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا وَكِيعٌ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ الأَعْلَى عَنْ سُوَيْدِ بْنِ غَفَلَةَ: أَنَّ عُمَرَ قَبَّلَ الْحَجَرَ وَالْتَزَمَهُ وَقَالَ: رَأَيْتُ أَبَا الْقَاسِمِ ﷺ بِكَ حَفِيّاً.

(147) ـ تَقْبِيلُ الحَجَرِ

2934 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عِيسَى بْنُ يُونُسَ وَجَرِيرٌ عَنِ الأَعْمَشِ عَنْ إِبْرَاهِيمَ عَنْ عَابِسِ بْنِ رَبِيعَةَ قَالَ: رَأَيْتُ عُمَرَ جَاءَ إِلَى الْحَجَرِ فَقَالَ: إِنِّي لأَعْلَمُ أَنَّكَ حَجَرٌ وَلَوْلاَ أَنِّي رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يُقَبِّلُكَ مَا قَبَّلْتُكَ ثُمَّ دَنَا مِنْهُ فَقَبَّلَهُ.

(148) ـ كَيْفَ يُقَبَّلُ

2935 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا الْوَلِيدُ عَنْ حَنْظَلَةَ قَالَ: رَأَيْتُ طَاوُساً يَمُرُّ بِالرُّكْنِ فَإِنْ وَجَدَ عَلَيْهِ زِحَاماً مَرَّ وَلَمْ يُزَاحِمْ وَإِنْ رَآهُ خَالِياً قَبَّلَهُ ثَلاَثاً ثُمَّ قَالَ: رَأَيْتُ ٱبْنَ عَبَّاسٍ فَعَلَ مِثْلَ ذٰلِكَ وَقَالَ ٱبْنُ عَبَّاسٍ: رَأَيْتُ عُمَرَ بْنَ الْخَطَّابِ فَعَلَ مِثْلَ ذٰلِكَ ثُمَّ قَالَ: إِنَّكَ حَجَرٌ لاَ تَنْفَعُ وَلاَ تَضُرُّ وَلَوْلاَ أَنِّي رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ قَبَّلَكَ مَا قَبَّلْتُكَ ثُمَّ قَالَ عُمَرُ: رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ فَعَلَ مِثْلَ ذٰلِكَ.

(149) ـ كَيْفَ يَطُوفُ أَوَّلَ ما يَقْدُمُ وعلى أيِّ شِقَّيْهِ يَأْخُذُ إذا اسْتَلَمَ الحَجَرَ

2936 ـ أَخْبَرَنِي عَبْدُ الأَعْلَى بْنُ وَاصِلِ بْنِ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ عَنْ سُفْيَانَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرٍ قَالَ: لَمَّا قَدِمَ رَسُولُ ٱللَّهِ ﷺ مَكَّةَ دَخَلَ الْمَسْجِدَ فَاسْتَلَمَ الْحَجَرَ ثُمَّ مَضَى عَلَى يَمِينِهِ فَرَمَلَ ثَلاَثاً وَمَشَى أَرْبَعاً ثُمَّ

and moved on rightwards, and walked fast moving his shoulder for three rounds, and walked at a normal pace for the remaining four rounds. He went to the Station (of Abraham) and recited: "Take of the Station of Abraham a place of prayer." He offered a two-rak'ah prayer and the Station was between him and the House. After he finished the two-rak'ah prayer, he went to the House, and touched the (corner of the Black) Stone, after which he set out to Safa.

[150] How Many Rounds Should One Walk fast With Moving Shoulder In Circumambulation?

2937- It is narrated on the authority of Nafi' that Ibn Umar used to walk fast moving his shoulder in the first three rounds (of circumambulation), and walk at a normal pace in the remaining four rounds; and he pretended that The Messenger of Allah "Allah's blessing and peace be upon him" had done so.

[151] how many Rounds should one walk at a normal pace in circumambulation (Round The House)?

2938- It is narrated on the authority of Ibn Umar that whenever The Messenger of Allah "Allah's blessing and peace be upon him" performed circumambulation for Hajj and Umrah, once he reached (the mosque), he would walk fast with moving his shoulder in the (first) three rounds, and walk at a normal pace in the (remaining) four rounds; and then he would offer a two-rak'ah prayer, and then compass Safa and Marwah round.

[152] Running At A Galloping Pace In The First Three Of The Seven Rounds

2939- It is narrated on the authority of Ibn Umar that he said: Once The Messenger of Allah "Allah's blessing and peace be upon him" arrived in Mecca, he would first touch the corner of the Black (Stone) to start circumambulation, and he would run at a galloping pace in the first three of the seven rounds.

[153] Walking Fast With Moving Shoulder In Circumambulation

2940- It is narrated on the authority of Nafi' that whenever Abdullah Ibn Umar came to perform Hajj or Umrah, he would run at a galloping pace in the first three rounds of his circumambulation, and walk at a normal pace in the remaining four rounds; and he said that The Messenger of Allah "Allah's blessing and peace be upon him" used to do the same.

أَتَى الْمَقَامَ فَقَالَ: «وَاتَّخِذُوا مِنْ مَقَامِ إِبْرَاهِيمَ مُصَلًّى». فَصَلَّى رَكْعَتَيْنِ وَالْمَقَامُ بَيْنَهُ وَبَيْنَ الْبَيْتِ ثُمَّ أَتَى الْبَيْتَ بَعْدَ الرَّكْعَتَيْنِ فَاسْتَلَمَ الْحَجَرَ ثُمَّ خَرَجَ إِلَى الصَّفَا.

(150) ـ كَمْ يَسْعَى

2937 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ ٱللَّهِ عَنْ نَافِعٍ: أَنَّ عَبْدَ ٱللَّهِ بْنَ عُمَرَ كَانَ يَرْمُلُ الثَّلاَثَ وَيَمْشِي الأَرْبَعَ وَيَزْعُمُ أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ يَفْعَلُ ذٰلِكَ.

(151) ـ كَمْ يَمْشِي

2938 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا يَعْقُوبُ عَنْ مُوسَى بْنِ عُقْبَةَ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ إِذَا طَافَ فِي الْحَجِّ وَالْعُمْرَةِ أَوَّلَ مَا يَقْدَمُ فَإِنَّهُ يَسْعَى ثَلاَثَةَ أَطْوَافٍ وَيَمْشِي أَرْبَعاً ثُمَّ يُصَلِّي سَجْدَتَيْنِ ثُمَّ يَطُوفُ بَيْنَ الصَّفَا وَالْمَرْوَةِ.

(152) ـ الخَبَبُ في الثَّلاثةِ مِنَ السَّبْعِ

2939 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرٍو وَسُلَيْمَانُ بْنُ دَاوُدَ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ عَنْ سَالِمٍ عَنْ أَبِيهِ قَالَ: كَانَ رَسُولُ ٱللَّهِ ﷺ حِينَ يَقْدَمُ مَكَّةَ يَسْتَلِمُ الرُّكْنَ الأَسْوَدَ أَوَّلَ مَا يَطُوفُ يَخُبُّ ثَلاَثَةَ أَطْوَافٍ مِنَ السَّبْعِ.

(153) ـ الرَّمَلُ في الحَجِّ والعُمْرَةِ

2940 ـ أَخْبَرَنِي مُحَمَّدُ وَعَبْدُ الرَّحْمٰنِ ٱبْنَا عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ قَالاَ: حَدَّثَنَا شُعَيْبُ بْنُ اللَّيْثِ عَنْ أَبِيهِ عَنْ كَثِيرِ بْنِ فَرْقَدٍ عَنْ نَافِعٍ: أَنَّ عَبْدَ ٱللَّهِ بْنَ عُمَرَ كَانَ يَخُبُّ فِي طَوَافِهِ حِينَ يَقْدَمُ فِي حَجٍّ أَوْ عُمْرَةٍ ثَلاَثاً وَيَمْشِي أَرْبَعاً قَالَ: وَكَانَ رَسُولُ ٱللَّهِ ﷺ يَفْعَلُ ذٰلِكَ.

[154] Walking Fast From The Stone To The Stone

2941- It is narrated on the authority of Jabir that he said: I saw The Messenger of Allah "Allah's blessing and peace be upon him" having walked fast, moving his shoulder from the (corner of the black) Stone to the (corner of the Black) Stone once again (i.e. to complete a full circle) for three rounds.

[155] The Reason For Which The Prophet Ran While Circumambulating Round The House

2942- It is narrated on the authority of Ibn Abbas that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" and his companions came to Mecca (to perform Umrah), the pagans said: "No doubt, the fever of Yathrib (Medina) has weakened them, since they received severe evil from it." Allah Almighty informed His Messenger "Allah's blessing and peace be upon him" of what they had said, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" ordered his companions to run while moving their shoulders and to walk at a normal pace (in the area) between both Corners. On the other hand, the pagans were standing at the direction of Hijr (glancing the Muslims), thereupon they said: "Indeed, those (Muslims) are stronger and healthier than such and such."

2943- It is narrated on the authority of Az-Zubair Ibn Arabi that a man asked Ibn Umar about touching the (Black) Stone, thereupon he said: "No doubt, I saw The Messenger of Allah "Allah's blessing and peace be upon him" having touched and kissed it." The man asked: "Tell me (what to do) if I am driven away from it by crowds or overpowered (by others to reach it: could I leave it?)" Ibn Umar said: "Say (your statement) "Tell me what to do) in Yemen (since it is of no significance for touching the Stone is out of the sunnah, which one should seek to do without harming anyone): No doubt, I saw The Messenger of Allah "Allah's blessing and peace be upon him" having touched and kissed it."

[156] Touching Both Corners In Each Round Of Circumambulation

2944- It is narrated on the authority of Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" used to touch both the Yemenite Corner and the (corner of the Black) Stone in each round of circumambulation.

2945- It is narrated on the authority of Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" used not to touch but both the Yemenite Corner and the (corner of the Black) Stone (in each round of circumambulation).

(154) ـ الرَّمَلُ من الحَجَرِ إلى الحَجَرِ

2941 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ قَالَ: رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ رَمَلَ مِنَ الْحَجَرِ إِلَى الْحَجَرِ حَتَّى ٱنْتَهَى إِلَيْهِ ثَلاَثَةَ أَطْوَافٍ.

(155) ـ العِلَّةُ الَّتي من أجْلِها سَعَى النَّبِيُّ ﷺ بالبَيْتِ

2942 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ سُلَيْمَانَ عَنْ حَمَّادِ بْنِ زَيْدٍ عَنْ أَيُّوبَ عَنِ ٱبْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: لَمَّا قَدِمَ النَّبِيُّ ﷺ وَأَصْحَابُهُ مَكَّةَ قَالَ الْمُشْرِكُونَ: وَهَنَتْهُمْ حُمَّى يَثْرِبَ وَلَقَوْا مِنْهَا شَرّاً فَأَطْلَعَ ٱللَّهُ نَبِيَّهُ عَلَيْهِ الصَّلاَةُ وَالسَّلاَمُ عَلَى ذٰلِكَ فَأَمَرَ أَصْحَابَهُ أَنْ يَرْمُلُوا وَأَنْ يَمْشُوا مَا بَيْنَ الرُّكْنَيْنِ وَكَانَ الْمُشْرِكُونَ مِنْ نَاحِيَةِ الْحِجْرِ فَقَالُوا: لَهٰؤلاَءِ أَجْلَدُ مِنْ كَذَا.

2943 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنِ الزُّبَيْرِ بْنِ عَدِيٍّ قَالَ: سَأَلَ رَجُلٌ ٱبْنَ عُمَرَ عَنِ ٱسْتِلاَمِ الْحَجَرِ فَقَالَ: «رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَسْتَلِمُهُ وَيُقَبِّلُهُ» فَقَالَ الرَّجُلُ: أَرَأَيْتَ إِنْ زُحِمْتُ عَلَيْهِ أَوْ غُلِبْتُ عَلَيْهِ؟ فَقَالَ ابْنُ عُمَرَ رَضِيَ ٱللَّهُ عَنْهُمَا: اجْعَلْ «أَرَأَيْتَ» بِالْيَمَنِ، رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَسْتَلِمُهُ وَيُقَبِّلُهُ.

(156) ـ اسْتِلامُ الرُّكْنَيْنِ في كُلِّ طَوَافٍ

2944 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا يَحْيَى عَنِ ابْنِ أَبِي رَوَّادٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: «أَنَّ النَّبِيَّ ﷺ كَانَ يَسْتَلِمُ الرُّكْنَ الْيَمَانِيَّ وَالْحَجَرَ فِي كُلِّ طَوَافٍ».

2945 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ وَمُحَمَّدُ بْنُ الْمُثَنَّى قَالاَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ عَنْ نَافِعٍ عَنِ ابْنِ عُمَرَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ لا يَسْتَلِمُ إِلاَّ الْحَجَرَ وَالرُّكْنَ الْيَمَانِيَّ.

[157] Passing The Hand Over Both Yemenite Corners

2946- It is narrated on the authority of Salim from his father (Ibn Umar) that he said: I've never seen The Messenger of Allah "Allah's blessing and peace be upon him" passing his hand over any portion of the House barring both the Yemenite Corners.

[158] One Could Leave Touching The Other Two Corners

2947- It is narrated on the authority of Ubaid Ibn Juraij that he said: I said to Ibn Umar: "I've seen you touching from amongst all the corners only those Yemenite Corners." He said: "I have never seen The Messenger of Allah "Allah's blessing and peace be upon him" touching but those two corners."

2948- It is narrated on the authority of Salim from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used not to touch from amongst all the corners of the House but the corner of the Black (Stone) and that next to it from the direction of the dwelling places of those of Jumah.

2949- It is narrated on the authority of Nafi' that Abdullah (Ibn Umar) said: I've never left touching those two corners since I saw The Messenger of Allah "Allah's blessing and peace be upon him" touching them, i.e. the Yemenite corner and that of the (Black) Stone, whether at the time of adversity or at the time of ease.

2950- It is narrated on the authority of Nafi' that Abdullah (Ibn Umar) said: I've never left touching the (Black) Stone, whether at the time of ease or at the time of adversity, since I saw The Messenger of Allah "Allah's blessing and peace be upon him" touching them.

[159] Pointing To The Corner With The Bent Headed-Stick

2951- It is narrated on the authority of Ibn Abbas that he said: During the Farewell Hajj The Messenger of Allah "Allah's blessing and peace be upon him" performed circumambulation while being on his riding camel, pointing to the corner with a bent headed-stick.

[160] Pointing To The Corner

2952- It is narrated on the authority of Abdullah Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was circumambulating the House while being on his riding camel, and whenever he reached the corner, he would point to it (with a bent headed-stick).

(157) ـ مَسْحُ الرُّكْنَيْنِ اليَمَانِيَيْنِ

2946 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنِ ٱبْنِ شِهَابٍ عَنْ سَالِمٍ عَنْ أَبِيهِ قَالَ: لَمْ أَرَ رَسُولَ ٱللَّهِ ﷺ يَمْسَحُ مِنَ الْبَيْتِ إِلاَّ الرُّكْنَيْنِ الْيَمَانِيَيْنِ.

(158) ـ تَرْكُ اسْتِلامِ الرُّكْنَيْنِ الآخَرَيْنِ

2947 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: أَنْبَأَنَا ٱبْنُ إِدْرِيسَ عَنْ عُبَيْدِ ٱللَّهِ وَٱبْنُ جُرَيْجٍ وَمَالِكٌ عَنِ الْمَقْبُرِيِّ عَنْ عُبَيْدِ بْنِ جُرَيْجٍ قَالَ: قُلْتُ لابْنِ عُمَرَ: رَأَيْتُكَ لاَ تَسْتَلِمُ مِنَ الأَرْكَانِ إِلاَّ هٰذَيْنِ الرُّكْنَيْنِ الْيَمَانِيَيْنِ قَالَ: لَمْ أَرَ رَسُولَ ٱللَّهِ ﷺ يَسْتَلِمُ إِلاَّ هٰذَيْنِ الرُّكْنَيْنِ.

2948 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرٍو وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ عَنْ سَالِمٍ عَنْ أَبِيهِ قَالَ: لَمْ يَكُنْ رَسُولُ ٱللَّهِ ﷺ يَسْتَلِمُ مِنْ أَرْكَانِ الْبَيْتِ إِلاَّ الرُّكْنَ الأَسْوَدَ وَالَّذِي يَلِيهِ مِنْ نَحْوِ دُورِ الْجُمَحِيِّينَ.

2949 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ ٱللَّهِ عَنْ نَافِعٍ قَالَ: قَالَ عَبْدُ اللَّهِ رَضِيَ ٱللَّهُ عَنْهُ: مَا تَرَكْتُ ٱسْتِلاَمَ هٰذَيْنِ الرُّكْنَيْنِ مُنْذُ رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَسْتَلِمُهُمَا الْيَمَانِيَ وَالْحَجَرَ فِي شِدَّةٍ وَلاَ رَخَاءٍ.

2950 ـ أَخْبَرَنَا عِمْرَانُ بْنُ مُوسَى قَالَ: حَدَّثَنَا عَبْدُ الْوَارِثِ قَالَ: حَدَّثَنَا أَيُّوبُ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالَ: مَا تَرَكْتُ ٱسْتِلاَمَ الْحَجَرِ فِي رَخَاءٍ وَلاَ شِدَّةٍ مُنْذُ رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَسْتَلِمُهُ.

(159) ـ اسْتِلامُ الرُّكْنِ بِالمِحْجَنِ

2951 ـ أَخْبَرَنَا يُونُسُ بْنِ عَبْدِ الأَعْلَى وَسُلَيْمَانُ بْنُ دَاوُدَ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنْ عَبْدِ ٱللَّهِ بْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ طَافَ فِي حَجَّةِ الْوَدَاعِ عَلَى بَعِيرٍ يَسْتَلِمُ الرُّكْنَ بِمِحْجَنٍ.

(160) ـ الإِشَارَةُ إِلَى الرُّكْنِ

2952 ـ أَخْبَرَنَا بِشْرُ بْنُ هِلاَلٍ قَالَ: أَنْبَأَنَا عَبْدُ الْوَارِثِ عَنْ خَالِدٍ عَنْ عِكْرِمَةَ عَنْ عَبْدِ ٱللَّهِ بْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ يَطُوفُ بِالْبَيْتِ عَلَى رَاحِلَتِهِ فَإِذَا ٱنْتَهَى إِلَى الرُّكْنِ أَشَارَ إِلَيْهِ.

[161] Allah's Statement: " Wear Your Beautiful Apparel At Every Time And Place Of Prayer" (Al-A'raf 31)

2953- It is narrated on the authority of Ibn Abbas that he said: It was the habit that the woman circumambulated the House while naked, saying: "Today, some or even all of it (my private parts) is visible, even though I do not make lawful (for anyone to look) what seems of it." Then, the following statement was revealed: "O mankind! Wear your beautiful apparel at every time and place of prayer!" (Al-A'raf 31)

2954- It is narrated on the authority of Abu Hurairah that Abu Bakr sent him during the Hajj, of which The Messenger of Allah "Allah's blessing and peace be upon him" had made him the chief, and it was before the farewell Hajj, in the company of a group of people, to make public the announcement that "After this year, no pagan should be permissible to perform Hajj, nor should a naked person be allowed to circumambulate the House."

2955- It is narrated on the authority of Muharrar Ibn Abu Hurairah who transmitted it from his father that he said: I was in the company of Ali when the Messenger of Allah "Allah's blessing and peace be upon him" sent him to the people of Mecca with (the order to recite to them) the Surah of Bara'ah. He (Muharrar) asked: How did you call then? He said: We called: "Behold! None but a believing soul should be admitted to the Garden, and no naked person should be allowed to circumambulate the House (from now on); and whoever (from amongst the pagans) has a covenant or a treaty with the Messenger of Allah "Allah's blessing and peace be upon him" will have a maximum term of four months after which it should be dissolved, and when the four months should have passed, Allah and His Messenger then are free from all obligations with the pagans; and after this year of ours, no pagan should be allowed to visit the House for offering Hajj (or any other purpose)." Abu Hurairah said: I kept calling (with those statements) until my voice became hoarse.

[162] Where Should One Pray The Two Rak'ahs Of Circumambulation

2956- It is narrated on the authority of Al-Muttalib Ibn Wadi'ah that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" having come to the rear of the place of circumambulation, after finishing from his seven-round circumambulation, where he offered two rak'ahs, and there was nothing between him and those who were circumambulating.

2957- It is narrated on the authority of Ibn Umar that he said: "When The Messenger of Allah "Allah's blessing and peace be upon him" came, he circumambulated (the House) seven rounds, offered a two-rak'ah prayer

(161) ـ قَوْلُهُ عزّ وجلّ: ﴿خُذُواْ زِينَتَكُمْ عِندَ كُلِّ مَسْجِدٍ﴾ [الأعراف: 31]

2953 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ سَلَمَةَ قَالَ: سَمِعْتُ مُسْلِماً الْبَطِينَ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: كَانَتِ الْمَرْأَةُ تَطُوفُ بِالْبَيْتِ وَهِيَ عُرْيَانَةٌ تَقُولُ:

الْيَوْمَ يَبْدُو بَعْضُهُ أَوْ كُلُّهُ وَمَا بَدَا مِنْهُ فَلاَ أُحِلُّهُ

قَالَ: فَنَزَلَتْ: ﴿يَٰبَنِيٓ ءَادَمَ خُذُواْ زِينَتَكُمْ عِندَ كُلِّ مَسْجِدٍ﴾.

2954 ـ أَخْبَرَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا يَعْقُوبُ قَالَ: حَدَّثَنَا أَبِي عَنْ صَالِحٍ عَنِ ٱبْنِ شِهَابٍ أَنَّ حُمَيْدَ بْنَ عَبْدِ الرَّحْمٰنِ أَخْبَرَهُ أَنَّ أَبَا هُرَيْرَةَ أَخْبَرَهُ: أَنَّ أَبَا بَكْرٍ بَعَثَهُ فِي الْحَجَّةِ الَّتِي أَمَّرَهُ عَلَيْهَا رَسُولُ ٱللَّهِ ﷺ قَبْلَ حَجَّةِ الْوَدَاعِ فِي رَهْطٍ يُؤَذِّنُ فِي النَّاسِ أَلاَ لاَ يَحُجَّنَّ بَعْدَ الْعَامِ مُشْرِكٌ وَلاَ يَطُوفُ بِالْبَيْتِ عُرْيَانٌ.

2955 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ وَعُثْمَانُ بْنُ عُمَرَ: قَالاَ: حَدَّثَنَا شُعْبَةُ عَنِ الْمُغِيرَةِ عَنِ الشَّعْبِيِّ عَنِ الْمُحَرَّرِ بْنِ أَبِي هُرَيْرَةَ عَنْ أَبِيهِ قَالَ: جِئْتُ مَعَ عَلِيِّ بْنِ أَبِي طَالِبٍ حِينَ بَعَثَهُ رَسُولُ ٱللَّهِ ﷺ إِلَى أَهْلِ مَكَّةَ بِبَرَاءَةَ قَالَ: مَا كُنْتُمْ تُنَادُونَ؟ قَالَ: كُنَّا نُنَادِي إِنَّهُ لاَ يَدْخُلُ الْجَنَّةَ إِلاَّ نَفْسٌ مُؤْمِنَةٌ وَلاَ يَطُوفُ بِالْبَيْتِ عُرْيَانٌ وَمَنْ كَانَ بَيْنَهُ وَبَيْنَ رَسُولِ ٱللَّهِ ﷺ عَهْدٌ فَأَجَلُهُ أَوْ أَمَدُهُ إِلَى أَرْبَعَةِ أَشْهُرٍ فَإِذَا مَضَتِ الأَرْبَعَةُ أَشْهُرٍ فَإِنَّ اللَّهَ بَرِيءٌ مِنَ الْمُشْرِكِينَ وَرَسُولُهُ وَلاَ يَحِجُّ بَعْدَ الْعَامِ مُشْرِكٌ فَكُنْتُ أُنَادِي حَتَّى صَحِلَ صَوْتِي.

(162) ـ أَيْنَ يُصَلِّي رَكْعَتَيِ الطَّوَافِ

2956 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ عَنْ يَحْيَى عَنِ ٱبْنِ جُرَيْجٍ عَنْ كَثِيرِ بْنِ كَثِيرٍ عَنْ أَبِيهِ عَنِ الْمُطَّلِبِ بْنِ أَبِي وَدَاعَةَ قَالَ: رَأَيْتُ النَّبِيَّ ﷺ حِينَ فَرَغَ مِنْ سُبْعِهِ جَاءَ حَاشِيَةَ الْمَطَافِ فَصَلَّى رَكْعَتَيْنِ وَلَيْسَ بَيْنَهُ وَبَيْنَ الطَّوَّافِينَ أَحَدٌ.

2957 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو قَالَ: يَعْنِي ٱبْنَ عُمَرَ: قَدِمَ رَسُولُ ٱللَّهِ ﷺ فَطَافَ بِالْبَيْتِ سَبْعاً وَصَلَّى خَلْفَ الْمَقَامِ رَكْعَتَيْنِ وَطَافَ بَيْنَ

behind the Station of Abraham, and compassed Safa and Marwah round. Indeed, in the Messenger of Allah, you should have a good pattern."

[163] What Is Said After The Two-Rak'ah Prayer Of Circumambulation

2958- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" circumambulated the House seven times, three of which as running and four as walking. Then he went to stand behind the Station of Abraham, and offered a two-rak'ah prayer, after which he recited: "And take of the Station of Abraham as a place of prayer." He raised his voice with it, in order to make the people hear him. Then, he turned away and came back to the corner (of the Black Stone) and touched it. He went and said: "Let's start with what Allah (ordered me to) start." He started with Safa. He ascended Safa till he saw the House, and said thrice: "There is no god but Allah, The One and Only, with Whom there is no partner. To Him be the Dominion, and to Him be the praise: It is He Who gives life, and it is He Who causes (such as He wills) to die; and He has Power over everything." He magnified and praised Allah, and invoked Him, with what he was doomed to invoke. He then descended and walked (at a normal pace towards Marwah). When his feet came down in the bottom of the valley, he walked fast. When his feet started to ascend he walked normally till he reached Marwah, where he ascended until the House seemed to him, thereupon he said: "There is no god but Allah, The One and Only, with Whom there is no partner. To Him be the Dominion, and to Him be the praise: and He has Power over everything." He said that thrice, then celebrated (the Praises of) Allah, glorified and praised Him, and invoked Him, with what Allah willed him to invoke. He did so (in every round) until he finished from compassing.

2959- It is narrated on the authority of Jabir that The Messenger of Allah "Allah's blessing and peace be upon him" circumambulated (the House) seven times, three of which as running and four as walking. Then he went to the Station of Abraham, and recited: "And take of the Station of Abraham as a place of prayer." He offered a two-rak'ah prayer, making the Station between him and the Ka'bah. He then returned to the corner (of the Black Stone) and touched it. He went out (of the gate to Safa) and recited: " Safa and Marwah are from amongst the signs appointed by Allah." (He said): "You should start with what Allah (ordered you to) start."

الصَّفَا وَالْمَرْوَةِ وَقَالَ: لَقَدْ كَانَ لَكُمْ فِي رَسُولِ ٱللَّهِ أُسْوَةٌ حَسَنَةٌ.

(163) ـ القَوْلُ بعد رَكْعَتَيِ الطَّوَافِ

2958 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ عَنْ شُعَيْبٍ قَالَ: أَنْبَأَنَا اللَّيْثُ عَنِ ابْنِ الْهَادِ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرٍ قَالَ: طَافَ رَسُولُ ٱللَّهِ ﷺ بِالْبَيْتِ سَبْعاً رَمَلَ مِنْهَا ثَلاَثاً وَمَشَى أَرْبَعاً ثُمَّ قَامَ عِنْدَ الْمَقَامِ فَصَلَّى رَكْعَتَيْنِ ثُمَّ قَرَأَ: ﴿وَٱتَّخِذُوا۟ مِن مَّقَامِ إِبْرَٰهِـۧمَ مُصَلًّى﴾ [البقرة: 125] وَرَفَعَ صَوْتَهُ يُسْمِعُ النَّاسَ ثُمَّ ٱنْصَرَفَ فَاسْتَلَمَ ثُمَّ ذَهَبَ فَقَالَ: «**نَبْدَأُ بِمَا بَدَأَ ٱللَّهُ بِهِ**». فَبَدَأَ بِالصَّفَا فَرَقِيَ عَلَيْهَا حَتَّى بَدَا لَهُ الْبَيْتُ فَقَالَ ثَلاَثَ مَرَّاتٍ: «**لاَ إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ لَهُ الْمُلْكُ وَلَهُ الْحَمْدُ يُحْيِي وَيُمِيتُ وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ**». فَكَبَّرَ ٱللَّهَ وَحَمِدَهُ ثُمَّ دَعَا بِمَا قُدِّرَ لَهُ ثُمَّ نَزَلَ مَاشِياً حَتَّى تَصَوَّبَتْ قَدَمَاهُ فِي بَطْنِ الْمَسِيلِ فَسَعَى حَتَّى صَعِدَتْ قَدَمَاهُ ثمَّ مَشَى حتى أَتَى الْمَرْوَةَ فَصَعِدَ فِيهَا ثُمَّ بَدَا لَهُ الْبَيْتُ فَقَالَ: «**لاَ إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ لَهُ الْمُلْكُ وَلَهُ الْحَمْدُ وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ**». قَالَ ذٰلِكَ ثَلاَثَ مَرَّاتٍ ثُمَّ ذَكَرَ ٱللَّهَ وَسَبَّحَهُ وَحَمِدَهُ ثُمَّ دَعَا عَلَيْهَا بِمَا شَاءَ ٱللَّهُ فَعَلَ هٰذَا حَتَّى فَرَغَ مِنَ الطَّوَافِ.

2959 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ طَافَ سَبْعاً رَمَلَ ثَلاَثاً وَمَشَى أَرْبَعاً ثُمَّ قَرَأَ وَٱتَّخِذُوا مِنْ مَقَامِ إِبْرَاهِيمَ مُصَلًّى فَصَلَّى سَجْدَتَيْنِ وَجَعَلَ الْمَقَامَ بَيْنَهُ وَبَيْنَ الْكَعْبَةِ ثُمَّ ٱسْتَلَمَ الرُّكْنَ ثُمَّ خَرَجَ فَقَالَ: «**إِنَّ الصَّفَا وَالْمَرْوَةَ مِنْ شَعَائِرِ ٱللَّهِ فَابْدَأُوا بِمَا بَدَأَ ٱللَّهُ بِهِ**».

[164] The Recitation In The Two-Rak'ah Prayer Of Circumambulation

2960- It is narrated on the authority of Jabir Ibn Abdullah that when The Messenger of Allah "Allah's blessing and peace be upon him" reached the Station of Abraham, he recited: "And take of the Station of Abraham as a place of prayer." He offered a two-rak'ah prayer, in which he recited the Opening of the Book and both Surahs of Al-Kafirun and Al-Ikhlas. He then returned to the corner (of the Black Stone) and touched it. He went out to Safa (mountain).

[165] Drinking From (The Well Of) Zamzam

2961- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" drank from the water of (the well of) Zamzam while standing.

[166] Drinking From (The Well Of Zamzam) While Standing

2962- It is narrated on the authority of Ibn Abbas that he said: I gave water to The Messenger of Allah "Allah's blessing and peace be upon him" from (the well of) Zamzam and he drank while standing.

[167] The Prophet's Coming Out To Safa From The Proper Gate

2963- It is narrated on the authority of Ibn Umar that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" came to Mecca, he circumambulated (the House) seven rounds, offered a two-rak'ah prayer behind the Station of Abraham, and then he came out to Safa (mountain), from the gate from which the people used to come out, whereupon he compassed Safa and Marwah round. Ibn Umar said: "It is out of the sunnah."

[168] Mentioning Both Safa And Marwah

2964- It is narrated on the authority of Urwah that he said: I recited to A'ishah (Allah's saying): " Behold! Safa and Marwah are among the Symbols of Allah. So if those who visit the House in the Season or at other times, should compass them round, it is no sin in them." (Al-Baqarah 158) then, I commented: "This means, there is no harm on me if I do not compass them round." On that she said: "What a bad statement is that which you've said! There were some people, belonging to the pre-Islamic period of ignorance, used not to compass them round, and when Islam came, and the Holy Qur'an descended (with the negation of any sin in compassing them round, as those falsely thought): " Behold! Safa and Marwah are among the Symbols of Allah! So if those who visit the House in the Season or at other times, should

(164) ـ القِرَاءَةُ فِي رَكْعَتَيِ الطَّوَافِ

2960 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرِ بْنِ دِينَارٍ الْحِمْصِيُّ عَنِ الْوَلِيدِ عَنْ مَالِكٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ لَمَّا ٱنتَهَى إِلَى مَقَامِ إِبْرَاهِيمَ قَرَأَ: وَٱتَّخِذُوا مِن مَّقَامِ إِبْرَاهِيمَ مُصَلًّى فَصَلَّى رَكْعَتَيْنِ فَقَرَأَ فَاتِحَةَ الْكِتَابِ وَقُلْ يَا أَيُّهَا الْكَافِرُونَ وَقُلْ هُوَ ٱللَّهُ أَحَدٌ ثُمَّ عَادَ إِلَى الرُّكْنِ فَاسْتَلَمَهُ ثُمَّ خَرَجَ إِلَى الصَّفَا.

(165) ـ الشُّرْبُ مِنْ زَمْزَمَ

2961 ـ أَخْبَرَنَا زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: أَنْبَأَنَا عَاصِمٌ وَمُغِيرَةُ ح. وَأَنْبَأَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: أَنْبَأَنَا عَاصِمٌ عَنِ الشَّعْبِيِّ عَنِ ٱبْنِ عَبَّاسٍ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ شَرِبَ مِنْ مَاءِ زَمْزَمَ وَهُوَ قَائِمٌ».

(166) ـ الشُّرْبُ مِنْ زَمْزَمَ قَائِماً

2962 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ بْنُ الْمُبَارَكِ عَنْ عَاصِمٍ عَنِ الشَّعْبِيِّ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: سَقَيْتُ رَسُولَ ٱللَّهِ ﷺ مِنْ زَمْزَمَ فَشَرِبَهُ وَهُوَ قَائِمٌ.

(167) ـ ذِكْرُ خُرُوجِ النَّبِيِّ ﷺ إلى الصَّفَا من البَابِ الذي يَخْرُجُ منه

2963 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَمْرِو بْنِ دِينَارٍ قَالَ: سَمِعْتُ ٱبْنَ عُمَرَ يَقُولُ: لَمَّا قَدِمَ رَسُولُ ٱللَّهِ ﷺ مَكَّةَ طَافَ بِالْبَيْتِ سَبْعاً ثُمَّ صَلَّى خَلْفَ الْمَقَامِ رَكْعَتَيْنِ ثُمَّ خَرَجَ إِلَى الصَّفَا مِنَ الْبَابِ الَّذِي يَخْرُجُ مِنْهُ فَطَافَ بِالصَّفَا وَالْمَرْوَةِ قَالَ شُعْبَةُ: أَخْبَرَنِي أَيُّوبُ عَنْ عَمْرِو بْنِ دِينَارٍ عَنِ ٱبْنِ عُمَرَ أَنَّهُ قَالَ: سُنَّةٌ.

(168) ـ ذِكْرُ الصَّفَا والمَرْوَةِ

2964 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ قَالَ: قَرَأْتُ عَلَى عَائِشَةَ: فَلاَ جُنَاحَ عَلَيْهِ أَنْ يَطَّوَّفَ بِهِمَا قُلْتُ: مَا أُبَالِي أَنْ لاَ أَطُوفَ بَيْنَهُمَا. فَقَالَتْ: بِئْسَمَا قُلْتَ إِنَّمَا كَانَ نَاسٌ مِنْ أَهْلِ الْجَاهِلِيَّةِ لاَ يَطُوفُونَ بَيْنَهُمَا فَلَمَّا كَانَ الإِسْلاَمُ وَنَزَلَ الْقُرْآنُ ﴿إِنَّ ٱلصَّفَا وَٱلْمَرْوَةَ مِن شَعَآئِرِ ٱللَّهِ﴾ [البقرة: 158] الآيَةَ.

compass them round, it is no sin in them", The Messenger of Allah "Allah's blessing and peace be upon him" compassed them round, and so did we with him; and in this way, it came to be out of the sunnah."

2965- It is narrated on the authority of Urwah Ibn Az-Zubair that he said: I asked A'ishah about Allah's statement: "if those who visit the House in the Season (of pilgrimage the greater "Hajj") or at other times (for Umrah) should compass them round, it is no sin in them": "by Allah, there is no harm upon anyone not to compass Safa and Marwah round." A'ishah said: "O, my nephew! What a bad interpretation it is! Had this interpretation of yours been correct, the statement of Allah should have been: there is no harm for him if he does not compass them round. But in fact, this divine inspiration was revealed concerning the Ansar. Before they embraced Islam, they used to assume Ihram for (an idol called) "Manat" which they used to worship at a place called Al-Mushallal, and whoever assumed Ihram (for the idol), would consider it sinful to compass Safa and Marwah round. When they embraced Islam, they asked Allah's Apostle "Allah's blessing and peace be upon him" regarding it, thereupon Allah revealed: "Behold! Safa and Marwah are among Allah's symbols: So if those who visit the House in the Season or at other times, should compass them round, it is no sin in them." A'ishah added: "So, The Prophet "Allah's blessing and peace be upon him" made it out of the right way to compass them round. Thus, none should be allowed to leave compassing them round."

2966- It is narrated on the authority of Jabir that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him", when he set out of the mosque, aiming at Safa, having said: "Let's start with the same with which Allah Almighty (ordered us to) start."

2967- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" set out (of the mosque), to Safa (mountain), and said: "Let's start with the same with which Allah Almighty (ordered us to) start." Then, he recited Allah's saying: "Behold! Safa and Marwah are among Allah's symbols: So if those who visit the House in the Season or at other times, should compass them round, it is no sin in them." (Al-Baqarah 158)

[169] The Place Of Standing At Safa (Mountain)

2968- It is narrated on the authority of Jabir that The Messenger of Allah "Allah's blessing and peace be upon him" ascended Safa (mountain) until he was able to look at the House, whereupon he magnified (Allah).

فَطَافَ رَسُولُ ٱللَّهِ ﷺ وَطُفْنَا مَعَهُ فَكَانَتْ سِنَّةً.

2965 ـ أَخْبَرَنِي عَمْرُو بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا أَبِي عَنْ شُعَيْبٍ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ قَالَ: سَأَلْتُ عَائِشَةَ عَنْ قَوْلِ ٱللَّهِ عَزَّ وَجَلَّ: فَلاَ جُنَاحَ عَلَيْهِ أَنْ يَطَّوَّفَ بِهِمَا فَوَٱللَّهُ مَا عَلَى أَحَدٍ جُنَاحٌ أَنْ لاَ يَطُوفَ بِالصَّفَا وَالْمَرْوَةِ قَالَتْ عَائِشَةُ: بِئْسَمَا قُلْتَ يَا ٱبْنَ أُخْتِي إِنَّ هٰذِهِ الآيَةَ لَوْ كَانَتْ كَمَا أَوَّلْتَهَا كَانَتْ فَلاَ جُنَاحَ عَلَيْهِ أَنْ لاَ يَطَّوَّفَ بِهِمَا وَلٰكِنَّهَا نَزَلَتْ فِي الأَنْصَارِ قَبْلَ أَنْ يُسْلِمُوا كَانُوا يُهِلُّونَ لِمَنَاةَ الطَّاغِيَةِ الَّتِي كَانُوا يَعْبُدُونَ عِنْدَ الْمُشَلَّلِ وَكَانَ مَنْ أَهَلَّ لَهَا يَتَحَرَّجُ أَنْ يَطُوفَ بِالصَّفَا وَالْمَرْوَةِ فَلَمَّا سَأَلُوا رَسُولَ ٱللَّهِ ﷺ عَنْ ذٰلِكَ أَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ: إِنَّ الصَّفَا وَالْمَرْوَةَ مِنْ شَعَائِرِ ٱللَّهِ فَمَنْ حَجَّ الْبَيْتَ أَوِ ٱعْتَمَرَ فَلاَ جُنَاحَ عَلَيْهِ أَنْ يَطَّوَّفَ بِهِمَا ثُمَّ قَدْ سَنَّ رَسُولُ ٱللَّهِ ﷺ الطَّوَافَ بَيْنَهُمَا فَلَيْسَ لأَحَدٍ أَنْ يَتْرُكَ الطَّوَافَ بِهِمَا.

2966 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّحْمٰنِ بْنُ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرٍ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ حِينَ خَرَجَ مِنَ الْمَسْجِدِ وَهُوَ يُرِيدُ الصَّفَا وَهُوَ يَقُولُ: «**نَبْدَأُ بِمَا بَدَأَ ٱللَّهُ بِهِ**».

2967 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنَا جَابِرٌ قَالَ: خَرَجَ رَسُولُ ٱللَّهِ ﷺ إِلَى الصَّفَا وَقَالَ: «**نَبْدَأُ بِمَا بَدَأَ ٱللَّهُ بِهِ**» ثُمَّ قَرَأَ: ﴿إِنَّ ٱلصَّفَا وَٱلْمَرْوَةَ مِن شَعَآئِرِ ٱللَّهِ﴾.

(169) ـ مَوْضِعُ القِيَامِ على الصَّفَا

2968 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنَا جَابِرٌ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ رَقِيَ عَلَى الصَّفَا حَتَّى إِذَا نَظَرَ إِلَى الْبَيْتِ كَبَّرَ».

[170] Saying Takbir On Safa (Mountain)

2969- It is narrated on the authority of Jabir that whenever The Messenger of Allah "Allah's blessing and peace be upon him" stood on Safa (mountain), he would magnify Allah thrice, and say: "There is no god but Allah, The One and Only, with Whom there is no partner. To Him be the Dominion, and to Him be the praise: and He has Power over everything." He used to do so thrice, and then invoke (Allah Almighty); and he used to do the same on the Marwah (mountain).

[171] Affirming Allah's Oneness On Safa (Mountain)

2970- It is narrated on the authority of Jabir that he told about the Farewell Hajj of The Messenger of Allah "Allah's blessing and peace be upon him" saying: The Messenger of Allah "Allah's blessing and peace be upon him" Stood on Safa (mountain) affirming the Oneness of Allah Almighty (i.e. saying: "There is no god but Allah"), and invoking (Him) between his celebrations.

[172] Celebrating (The Praises Of) And Invoking (Allah) On Safa

2971- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" circumambulated the House seven times, three of which as running and four as walking. Then he went to stand behind the Station of Abraham, and offered a two-rak'ah prayer, after which he recited: "And take of the Station of Abraham as a place of prayer." He raised his voice with it, in order to make the people hear him. Then, he turned away and came back to the corner (of the Black Stone) and touched it. He went and said: "Let's start with what Allah (ordered me to) start." He started with Safa. He ascended Safa till he saw the House, and said thrice: "There is no god but Allah, The One and Only, with Whom there is no partner. To Him be the Dominion, and to Him be the praise: It is He Who gives life, and it is He Who causes (such as He wills) to die; and He has Power over everything." He magnified and praised Allah, and invoked Him, with what he was doomed to invoke. He then descended and walked (at a normal pace towards Marwah). When his feet came down in the bottom of the valley, he walked fast. When his feet started to ascend he walked normally till he reached Marwah, where he ascended until the House seemed to him, thereupon he said: "There is no god but Allah, The One and Only, with Whom there is no partner. To Him be the Dominion, and to Him be the praise: and He has Power over everything." He said that thrice, then celebrated (the Praises of) Allah, glorified and praised Him, and invoked

(170) ـ التَّكْبِيرُ على الصَّفَا

2969 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لَهُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ إِذَا وَقَفَ عَلَى الصَّفَا يُكَبِّرُ ثَلاَثاً وَيَقُولُ: «**لاَ إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ لَهُ الْمُلْكُ وَلَهُ الْحَمْدُ وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ**». يَصْنَعُ ذٰلِكَ ثَلاَثَ مَرَّاتٍ وَيَدْعُو وَيَصْنَعُ عَلَى الْمَرْوَةِ مِثْلَ ذٰلِكَ.

(171) ـ التَّهْلِيلُ على الصَّفَا

2970 ـ أَخْبَرَنَا عِمْرَانُ بْنُ يَزِيدَ قَالَ: أَنْبَأَنَا شُعَيْبٌ قَالَ: أَخْبَرَنِي ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي جَعْفَرُ بْنُ مُحَمَّدٍ: أَنَّهُ سَمِعَ أَبَاهُ يُحَدِّثُ أَنَّهُ سَمِعَ جَابِراً عَنْ حَجَّةِ النَّبِيِّ ﷺ ثُمَّ وَقَفَ النَّبِيُّ ﷺ عَلَى الصَّفَا يُهَلِّلُ ٱللَّهَ عَزَّ وَجَلَّ وَيَدْعُو بَيْنَ ذٰلِكَ.

(172) ـ الذِّكْرُ والدُّعَاءُ على الصَّفَا

2971 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْحَكَمِ عَنْ شُعَيْبٍ قَالَ: أَنْبَأَنَا اللَّيْثُ عَنِ ٱبْنِ الْهَادِ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرٍ قَالَ: طَافَ رَسُولُ ٱللَّهِ ﷺ بِالْبَيْتِ سَبْعاً، رَمَلَ مِنْهَا ثَلاَثاً وَمَشَى أَرْبَعاً، ثُمَّ قَامَ عِنْدَ الْمَقَامِ فَصَلَّى رَكْعَتَيْنِ وَقَرَأَ ﴿وَٱتَّخِذُوا مِن مَّقَامِ إِبْرَٰهِـۧمَ مُصَلًّى﴾ وَرَفَعَ صَوْتَهُ يُسْمِعُ النَّاسَ، ثُمَّ ٱنْصَرَفَ فَاسْتَلَمَ ثُمَّ ذَهَبَ فَقَالَ: «**نَبْدَأُ بِمَا بَدَأَ ٱللَّهُ بِهِ**». فَبَدَأَ بِالصَّفَا فَرَقِيَ عَلَيْهَا حَتَّى بَدَا لَهُ الْبَيْتُ وَقَالَ ثَلاَثَ مَرَّاتٍ: «**لاَ إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ، لَهُ الْمُلْكُ وَلَهُ الْحَمْدُ يُحْيِي وَيُمِيتُ وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ**». وَكَبَّرَ ٱللَّهَ وَحَمِدَهُ، ثُمَّ دَعَا بِمَا قُدِّرَ لَهُ، ثُمَّ نَزَلَ مَاشِياً حَتَّى تَصَوَّبَتْ قَدَمَاهُ فِي بَطْنِ الْمَسِيلِ فَسَعَى حَتَّى صَعِدَتْ قَدَمَاهُ، ثُمَّ مَشَى حَتَّى أَتَى الْمَرْوَةَ فَصَعِدَ فِيهَا ثُمَّ بَدَا لَهُ الْبَيْتُ فَقَالَ: «**لاَ إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ، لَهُ الْمُلْكُ وَلَهُ الْحَمْدُ وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ**». قَالَ ذٰلِكَ ثَلاَثَ مَرَّاتٍ ثُمَّ ذَكَرَ ٱللَّهَ وَسَبَّحَهُ وَحَمِدَهُ

Him with what Allah willed him to invoke. He did so (in every round) until he finished from compassing.

[173] Compassing Safa And Marwah Round On A Mount

2972- It is narrated on the authority of Jabir Ibn Abdullah that he said: During his Farewell Hajj, The Messenger of Allah "Allah's blessing and peace be upon him" circumambulated the House, and compassed Safa and Marwah round on his riding mount, in order that the people would be able to see him, and he be high (away from the crowds), for indeed the crowds of people covered him up.

[174] Walking At A Normal Pace Between Them

2973- It is narrated on the authority of Kathir Ibn Jumhan that he said: I saw Ibn Umar walking normally between Safa and Marwah, thereupon he said: "If I walk (between them), no doubt, I saw The Messenger of Allah "Allah's blessing and peace be upon him" walking (between them at a normal pace); and if I run (between them), indeed, I saw The Messenger of Allah "Allah's blessing and peace be upon him" running (between them at another time).

2974- It is narrated on the authority of Sa'id Ibn Jubair that he said: I saw Ibn Umar...and the rest is the same, with the following addition that Ibn Umar said: "And now I'm a very old man (who could not run)."

[175] Walking Fast Between Them With Moving Shoulder

2975- It is narrated on the authority of Az-Zuhri that he said: They asked Ibn Umar: "Have you ever seen The Messenger of Allah "Allah's blessing and peace be upon him" walking fast between Safa and Marwah, with moving his shoulder?" he said: "Once, he was among a group of people, and they walked fast between them, moving their shoulders, and I did not think they had done so but because of their following his conduct."

[176] Running Between Safa And Marwah

2976- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" ran between Safa and Marwah, in order to show his strength and power to the pagans (who thought that the fever of Medina had weakened the Muslims).

[177] Running In The Bottom Of The Valley

2977- It is narrated on the authority of Safiyyah Bint Shaibah from a woman that she said: I saw The Messenger of Allah "Allah's blessing and peace be upon him" running in the bottom of the valley (between Safa and

ثُمَّ دَعَا عَلَيْهَا بِمَا شَاءَ ٱللَّهُ، فَعَلَ هٰذَا حَتَّى فَرَغَ مِنَ الطَّوَافِ.

(173) ـ الطَّوَافُ بين الصَّفا والمَرْوَةِ على الرَّاحِلَةِ

2972 ـ أَخْبَرَنِي عِمْرَانُ بْنُ يَزِيدَ قَالَ: أَنْبَأَنَا شُعَيْبٌ قَالَ: أَنْبَأَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي أَبُو الزُّبَيْرِ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ ٱللَّهِ يَقُولُ: طَافَ النَّبِيُّ ﷺ فِي حَجَّةِ الْوَدَاعِ عَلَى رَاحِلَتِهِ بِالْبَيْتِ وَبَيْنَ الصَّفَا وَالْمَرْوَةِ لِيَرَاهُ النَّاسُ وَلِيُشْرِفَ وَلْيَسْأَلُوهُ إِنَّ النَّاسَ غَشُوهُ.

(174) ـ المَشْيُ بينهما

2973 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا بِشْرُ بْنُ السَّرِيِّ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَطَاءِ بْنِ السَّائِبِ عَنْ كَثِيرِ بْنِ جُمْهَانَ قَالَ: رَأَيْتُ ابْنَ عُمَرَ يَمْشِي بَيْنَ الصَّفَا وَالْمَرْوَةِ فَقَالَ: إِنْ أَمْشِي فَقَدْ رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَمْشِي وإِنْ أَسْعَى فَقَدْ رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَسْعَى.

2974 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا عَبْدُ الرزَّاقِ قَالَ: أَنْبَأَنَا الثَّوْرِيُّ عَنْ عَبْدِ الْكَرِيمِ الْجَزَرِيِّ عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: رَأَيْتُ ٱبْنَ عَمْرٍو ذَكَرَ نَحْوَهُ إِلاَّ أَنَّهُ قَالَ: وَأَنَا شَيْخٌ كَبِيرٌ.

(175) ـ الرَّمَلُ بينهما

2975 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنَا صَدَقَةُ بْنُ يَسَارٍ عَنِ الزُّهْرِيِّ قَالَ: سَأَلُوا ٱبْنَ عُمَرَ: هَلْ رَأَيْتَ رَسُولَ ٱللَّهِ ﷺ رَمَلَ بَيْنَ الصَّفَا وَالْمَرْوَةِ؟ فَقَالَ: كَانَ فِي جَمَاعَةٍ مِنَ النَّاسِ فَرَمَلُوا فَلاَ أُرَاهُمْ رَمَلُوا إِلاَّ بِرَمَلِهِ.

(176) ـ السَّعْيُ بين الصَّفَا والمَرْوَةِ

2976 ـ أَخْبَرَنَا أَبُو عَمَّارٍ الْحُسَيْنُ بْنُ حُرَيْثٍ قَالَ: أَنْبَأَنَا سُفْيَانُ عَنْ عَمْرٍو عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: إِنَّمَا سَعَى النَّبِيُّ ﷺ بَيْنَ الصَّفَا وَالْمَرْوَةِ لِيُرِيَ الْمُشْرِكِينَ قُوَّتَهُ.

(177) ـ السَّعْيُ في بَطْنِ المَسِيلِ

2977 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ بُدَيْلٍ عَنِ الْمُغِيرَةِ بْنِ حَكِيمٍ عَنْ صَفِيَّةَ بِنْتِ شَيْبَةَ عَنِ ٱمْرَأَةٍ قَالَتْ: رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَسْعَى فِي بَطْنِ الْمَسِيلِ وَيَقُولُ: «لاَ

Marwah, and said: "Such a valley should not be cut but as walking at a galloping pace."

[178] The Very Place Of Walking

2978- It is narrated on the authority of Jabir Ibn Abdullah that he said: Whenever The Messenger of Allah "Allah's blessing and peace be upon him" descended from the Safa (mountain) he would keep walking until his feet would easily slope to the bottom of the valley, where he would run until he would come out of it.

[179] The Place Of Walking Fast With Moving Shoulders

2979- It is narrated on the authority of Jabir Ibn Abdullah that he said: When the feet of The Messenger of Allah "Allah's blessing and peace be upon him" easily reached the bottom of the valley, he walked fast, moving his shoulder until he came out of it.

2980- It is narrated on the authority of Jabir Ibn Abdullah that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" descended from the Safa (mountain) he kept walking normally until his feet easily reached the bottom of the valley, where he ran, moving his shoulder until when he came out of it, he kept walking at a normal pace.

[180] The Place Of Standing On The Marwah (Mountain)

2981- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" reached Marwah, where he ascended until the House seemed to him, thereupon he said: "There is no god but Allah, The One and Only, with Whom there is no partner. To Him be the Dominion, and to Him be the praise: and He has Power over everything." He said that thrice, then celebrated (the Praises of) Allah, glorified and praised Him, and invoked Him with what Allah willed him to invoke. He did so (in every round) until he finished from compassing.

[181] Magnifying Allah On It

2982- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" ascended Safa (mountain) until the House seemed to him, and then he affirmed the Oneness of Allah Almighty (by saying: "There is no god but Allah"), and magnified Allah, and said: "There is no god but Allah, The One and Only, with Whom there is no partner. To Him be the Dominion, and to Him be the praise: and He has Power over everything." Then, he walked at a normal pace until when his feet slopped (to the bottom of the valley) he ran at a galloping pace, until his feet ascended, he walked once again with a normal pace until he

يُقْطَعُ الْوَادِي إلاَّ شَدّاً».

(178) ـ مَوْضِعُ المَشْيِ

2978 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ رَضِيَ ٱللَّهُ عَنْهُمَا: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ إِذَا نَزَلَ مِنَ الصَّفَا مَشَى حَتَّى إِذَا ٱنْصَبَّتْ قَدَمَاهُ فِي بَطْنِ الْوَادِي سَعَى حَتَّى يَخْرُجَ مِنْهُ.

(179) ـ مَوْضِعُ الرَّمَلِ

2979 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ سُفْيَانَ عَنْ جَعْفَرٍ عَنْ أَبِيهِ عَنْ جَابِرٍ قَالَ: لَمَّا تَصَوَّبَتْ قَدَمَا رَسُولِ ٱللَّهِ ﷺ فِي بَطْنِ الْوَادِي رَمَلَ حَتَّى خَرَجَ مِنْهُ.

2980 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنَا جَابِرٌ: أَنَّ رَسُولَ ٱللَّهِ ﷺ نَزَلَ يَعْنِي عَنِ الصَّفَا حَتَّى إِذَا ٱنْصَبَّتْ قَدَمَاهُ فِي الْوَادِي رَمَلَ حَتَّى إِذَا صَعِدَ مَشَى.

(180) ـ مَوْضِعُ القِيَامِ على المَرْوَةِ

2981 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ عَنْ شُعَيْبٍ قَالَ: أَنْبَأَنَا اللَّيْثُ عَنِ ٱبْنِ الْهَادِ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ: أَتَى رَسُولُ ٱللَّهِ ﷺ الْمَرْوَةَ فَصَعِدَ فِيهَا ثُمَّ بَدَا لَهُ الْبَيْتُ فَقَالَ: «**لاَ إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ لَهُ الْمُلْكُ وَلَهُ الْحَمْدُ وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ**» قَالَ ذٰلِكَ ثَلاَثَ مَرَّاتٍ ثُمَّ ذَكَرَ ٱللَّهَ وَسَبَّحَهُ وَحَمِدَهُ ثُمَّ دَعَا بِمَا شَاءَ ٱللَّهُ. فَعَلَ هٰذَا حَتَّى فَرَغَ مِنَ الطَّوَافِ.

(181) ـ التَّكْبِيرُ عليها

2982 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ قَالَ: أَنْبَأَنَا جَعْفَرُ بْنُ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَابِرٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ ذَهَبَ إِلَى الصَّفَا فَرَقِيَ عَلَيْهَا حَتَّى بَدَا لَهُ الْبَيْتُ ثُمَّ وَحَّدَ ٱللَّهَ عَزَّ وَجَلَّ وَكَبَّرَهُ وَقَالَ: «**لاَ إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ لَهُ الْمُلْكُ وَلَهُ الْحَمْدُ يُحْيِي وَيُمِيتُ وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ**» ثُمَّ مَشَى حَتَّى إِذَا ٱنْصَبَّتْ قَدَمَاهُ سَعَى حَتَّى إِذَا

reached Marwah, whereupon he did the same as he had done on Safa (and kept doing so in every round) until he finished his compassing.

[182] How Many Times Should Such As Assumes Ihram For Both Umrah And Hajj Jointly Or Separately Compass Safa And Marwah?

2983- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" and his companions did not compass Safa and Marwah round more than once.

[183] Where Should Such As Performs Umrah Cut Short His Hair?

2984- It is narrated on the authority of Ibn Abbas that Mu'awiyah cut short the hair of The Messenger of Allah "Allah's blessing and peace be upon him" with a blade on Marwah (mountain) as he was offering Umrah.

2985- It is narrated on the authority of Ibn Abbas that Mu'awiyah said: I cut short the hair of The Messenger of Allah "Allah's blessing and peace be upon him" with a blade of a desert Arab on Marwah (mountain as he was offering Umrah).

[184] How Should One Cut Short His Hair?

2986- It is narrated on the authority of Mu'awiyah that he said: I trimmed the hair of The Messenger of Allah "Allah's blessing and peace be upon him" from the ends with a blade I had, after he had circumambulated the House, and compassed Safa and Marwah round, and this was during the (first) ten days (of Dhul-Hijjah). Qais said: However, the people rejected that story from Mu'awiyah (for it is well-known that The Messenger of Allah "Allah's blessing and peace be upon him" did not put off Ihram before the day of Sacrifice, when he was at Mina).

[185] What Should Such As Assumes Ihram For Hajj And Offers His Sacrifice Do?

2987- It is narrated on the authority of A'ishah that she said: We set out with The Messenger of Allah "Allah's blessing and peace be upon him" with the sole intention to perform Hajj only, and when he circumambulated the House and compassed Safa and Marwah round, he said: "Whoever has sacrificial animal, let him keep in his state of Ihram; and whoever has no sacrificial animal, let him put off Ihram."

[186] What Should Such As Assumes Ihram For Umrah And Has Sacrifice Do?

2988- It is narrated on the authority of A'ishah that she said: We set out with The Messenger of Allah "Allah's blessing and peace be upon him" in

صَعِدَتْ قَدَمَاهُ مَشَى حَتَّى أَتَى الْمَرْوَةَ فَفَعَلَ عَلَيْهَا كَمَا فَعَلَ عَلَى الصَّفَا حَتَّى قَضَى طَوَافَهُ.

(182) ـ كَمْ طَوَافُ القَارِنِ والمُتَمَتِّعِ بين الصَّفَا والمَرْوَةِ

2983 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: أَنْبَأَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي أَبُو الزُّبَيْرِ أَنَّهُ سَمِعَ جَابِراً يَقُولُ: لَمْ يَطُفِ النَّبِيُّ ﷺ وَأَصْحَابُهُ بَيْنَ الصَّفَا وَالْمَرْوَةِ إِلاَّ طَوَافاً وَاحِداً.

(183) ـ أَيْنَ يَقْصُرُ المُعْتَمِرُ

2984 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ يَحْيَى بْنِ سَعِيدٍ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي الْحَسَنُ بْنُ مُسْلِمٍ أَنَّ طَاوُساً أَخْبَرَهُ أَنَّ ٱبْنَ عَبَّاسٍ أَخْبَرَهُ عَنْ مُعَاوِيَةَ: أَنَّهُ قَصَّرَ عَنِ النَّبِيِّ ﷺ بِمِشْقَصٍ فِي عُمْرَةٍ عَلَى الْمَرْوَةِ.

2985 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ يَحْيَى بْنِ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا مَعْمَرٌ عَنِ ٱبْنِ طَاوُسٍ عَنْ أَبِيهِ عَنِ ٱبْنِ عَبَّاسٍ عَنْ مُعَاوِيَةَ قَالَ: قَصَّرْتُ عَنْ رَسُولِ ٱللَّهِ ﷺ عَلَى الْمَرْوَةِ بِمِشْقَصٍ أَعْرَابِيٍّ.

(184) ـ كَيْفَ يَقْصُرُ

2986 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا الْحَسَنُ بْنُ مُوسَى قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ قَيْسِ بْنِ سَعْدٍ عَنْ عَطَاءٍ عَنْ مُعَاوِيَةَ قَالَ: أَخَذْتُ مِنْ أَطْرَافِ شَعْرِ رَسُولِ ٱللَّهِ ﷺ بِمِشْقَصٍ كَانَ مَعِي بَعْدَ مَا طَافَ بِالْبَيْتِ وَبِالصَّفَا وَالْمَرْوَةِ فِي أَيَّامِ الْعَشْرِ قَالَ قَيْسٌ: وَالنَّاسُ يُنْكِرُونَ هٰذَا عَلَى مُعَاوِيَةَ.

(185) ـ ما يَفْعَلُ مَنْ أَهَلَّ بالحَجِّ وأَهْدَى

2987 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ عَنْ يَحْيَى وَهُوَ ٱبْنُ آدَمَ عَنْ سُفْيَانَ وَهُوَ ٱبْنُ عُيَيْنَةَ قَالَ: حَدَّثَنِي عَبْدُ الرَّحْمٰنِ بْنُ الْقَاسِمِ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: خَرَجْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ لاَ نُرَى إِلاَّ الْحَجَّ قَالَتْ: فَلَمَّا أَنْ طَافَ بِالْبَيْتِ وَبَيْنَ الصَّفَا وَالْمَرْوَةِ قَالَ: **«مَنْ كَانَ مَعَهُ هَدْيٌ فَلْيُقِمْ عَلَى إِحْرَامِهِ وَمَنْ لَمْ يَكُنْ مَعَهُ هَدْيٌ فَلْيَحْلِلْ»**.

(186) ـ ما يَفْعَلُ مَنْ أَهَلَّ بِعُمْرَةٍ وأَهْدَى

2988 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا سُوَيْدٌ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ عَنْ يُونُسَ عَنِ ٱبْنِ شِهَابٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: خَرَجْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ فِي حَجَّةِ الْوَدَاعِ

the Farewell Hajj: some of us assumed Ihram for Hajj, and others assumed Ihram for Umrah, and had sacrifice. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever assumed Ihram for Umrah and he has no sacrifice, let him put off Ihram, and whoever assumed Ihram for Umrah and he has sacrifice, let not him put off Ihram, and whoever assumed Ihram for Hajj (and he has sacrifice) let him (keep on his state of Ihram to) complete his Hajj." A'ishah said: "I was among those who assumed Ihram for Umrah."

2989- It is narrated on the authority of Asma Bint Abu Bakr that she said: We set out with The Messenger of Allah "Allah's blessing and peace be upon him", assuming Ihram for Hajj. When we approached Mecca, the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever has no sacrificial animal with him should put off Ihram, and whoever has sacrificial animal with him should keep on his state of Ihram." She said: Az-Zubair had sacrificial animal with him, so he kept on his state of Ihram; and Since I had no sacrificial animal with me, I put off Ihram. She (Asma) further said: I put on my clothes and then went out and sat beside Az-Zubair who said: "Go away from me!" I said: "Are you afraid that I would jump upon you?"

[187] The Sermon Before The Day Of Tarwiyah

2990- It is narrated on the authority of Jabir that when The Messenger of Allah "Allah's blessing and peace be upon him" returned from the Umrah of Ji'ranah, he sent Abu Bakr as the chief of Hajj. Jabir said: We set out with him until when he was at Arj, he led the Morning prayer, and when he stood right to magnify (Allah Almighty), he heard the voice of growling from behind his back, which stopped him from magnification, and he said: "This is the growling of the she-camel of The Messenger of Allah "Allah's blessing and peace be upon him", i.e. Al-Jad'a'. The Messenger of Allah "Allah's blessing and peace be upon him" seemed to have liked to perform Hajj; and perchance, he would be The Messenger of Allah "Allah's blessing and peace be upon him", so that we would offer prayer with him." Behold! It was Ali riding it! Abu Bakr said to him: "Have you been sent as a chief or as a messenger?" he said: "No, but as a messenger: Allah's Apostle "Allah's blessing and peace be upon him" sent me with the Surah of Bara'ah, in order to recite it to the gatherings of people in the standing places of Hajj." We reached Mecca, and when it was a day before that of Tarwiyah, Abu Bakr "Allah be pleased with him" stood, and addressed the people, and instructed them in their ceremonies; and when he finished, Ali "Allah be pleased with him" stood and recited to the people the Surah of Bara'ah until he concluded

فَمِنَّا مَنْ أَهَلَّ بِالْحَجِّ وَمِنَّا مَنْ أَهَلَّ بِعُمْرَةٍ وَأَهْدَى فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ أَهَلَّ بِعُمْرَةٍ وَلَمْ يُهْدِ فَلْيَحْلِلْ وَمَنْ أَهَلَّ بِعُمْرَةٍ وَأَهْدَى فَلاَ يَحِلَّ وَمَنْ أَهَلَّ بِحَجَّةٍ فَلْيُتِمَّ حَجَّهُ**». قالت عائشة: وكنت ممن أهلَّ بعمرة.

2989 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا أَبُو هِشَامٍ قَالَ: حَدَّثَنَا وُهَيْبُ بْنُ خَالِدٍ عَنْ مَنْصُورِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ أُمِّهِ عَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ قَالَتْ: قَدِمْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ مُهِلِّينَ بِالْحَجِّ فَلَمَّا دَنَوْنَا مِنْ مَكَّةَ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ لَمْ يَكُنْ مَعَهُ هَدْيٌ فَلْيَحْلِلْ وَمَنْ كَانَ مَعَهُ هَدْيٌ فَلْيُقِمْ عَلَى إِحْرَامِهِ**». قَالَتْ وَكَانَ مَعَ الزُّبَيْرِ هَدْيٌ فَأَقَامَ عَلَى إِحْرَامِهِ وَلَمْ يَكُنْ مَعِي هَدْيٌ فَأَحْلَلْتُ فَلَبِسْتُ ثِيَابِي وَتَطَيَّبْتُ مِنْ طِيبِي ثُمَّ جَلَسْتُ إِلَى الزُّبَيْرِ فَقَالَ: اسْتَأْخِرِي عَنِّي فَقُلْتُ: أَتَخْشَى أَنْ أَثِبَ عَلَيْكَ.

(187) ـ الخُطْبَةُ قبل يَوْمِ التَّرْوِيَةِ

2990 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: قَرَأْتُ عَلَى أَبِي قُرَّةَ مُوسَى بْنِ طَارِقٍ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: حَدَّثَنِي عَبْدُ ٱللَّهِ بْنُ عُثْمَانَ بْنِ خُثَيْمٍ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ: «أَنَّ النَّبِيَّ ﷺ حِينَ رَجَعَ مِنْ عُمْرَةِ الْجِعِرَّانَةِ بَعَثَ أَبَا بَكْرٍ عَلَى الْحَجِّ، فَأَقْبَلْنَا مَعَهُ حَتَّى إِذَا كَانَ بِالْعَرْجِ ثَوَّبَ بِالصُّبْحِ، ثُمَّ ٱسْتَوَى لِيُكَبِّرَ فَسَمِعَ الرُّغْوَةَ خَلْفَ ظَهْرِهِ فَوَقَفَ عَلَى التَّكْبِيرِ فَقَالَ: هٰذِهِ رُغْوَةُ نَاقَةِ رَسُولِ ٱللَّهِ ﷺ الْجَدْعَاءِ، لَقَدْ بَدَا لِرَسُولِ ٱللَّهِ ﷺ فِي الْحَجِّ فَلَعَلَّهُ أَنْ يَكُونَ رَسُولُ ٱللَّهِ ﷺ فَنُصَلِّيَ مَعَهُ، فَإِذَا عَلِيٌّ عَلَيْهَا فَقَالَ لَهُ أَبُو بَكْرٍ: أَمِيرٌ أَمْ رَسُولٌ؟ قَالَ: لاَ بَلْ رَسُولٌ أَرْسَلَنِي رَسُولُ ٱللَّهِ ﷺ بِـ﴿بَرَاءَةَ﴾ أَقْرَأُهَا عَلَى النَّاسِ فِي مَوَاقِفِ الْحَجِّ، فَقَدِمْنَا مَكَّةَ فَلَمَّا كَانَ قَبْلَ التَّرْوِيَةِ بِيَوْمٍ، قَامَ أَبُو بَكْرٍ رَضِيَ ٱللَّهُ عَنْهُ فَخَطَبَ النَّاسَ فَحَدَّثَهُمْ عَنْ مَنَاسِكِهِمْ، حَتَّى إِذَا فَرَغَ قَامَ عَلِيٌّ رَضِيَ ٱللَّهُ عَنْهُ فَقَرَأَ عَلَى النَّاسِ ﴿بَرَاءَةَ﴾ حَتَّى خَتَمَهَا ثُمَّ خَرَجْنَا مَعَهُ حَتَّى إِذَا كَانَ يَوْمُ عَرَفَةَ، قَامَ أَبُو بَكْرٍ فَخَطَبَ النَّاسَ فَحَدَّثَهُمْ عَنْ مَنَاسِكِهِمْ حَتَّى إِذَا فَرَغَ قَامَ عَلِيٌّ فَقَرَأَ عَلَى النَّاسِ ﴿بَرَاءَةَ﴾ حَتَّى خَتَمَهَا، ثُمَّ كَانَ يَوْمُ النَّحْرِ فَأَفَضْنَا فَلَمَّا رَجَعَ أَبُو بَكْرٍ خَطَبَ النَّاسَ فَحَدَّثَهُمْ عَنْ إِفَاضَتِهِمْ، وَعَنْ نَحْرِهِمْ، وَعَنْ مَنَاسِكِهِمْ، فَلَمَّا فَرَغَ قَامَ عَلِيٌّ فَقَرَأَ عَلَى النَّاسِ ﴿بَرَاءَةَ﴾ حَتَّى

it. Then we set out with him, and when it was the day of Arafah, Abu Bakr "Allah be pleased with him" stood, and addressed the people, and instructed them in their ceremonies; and when he finished, Ali "Allah be pleased with him" stood and recited to the people the Surah of Bara'ah until he concluded it. When it was the day of Sacrifice, we performed departure (circumambulation), and when Abu Bakr returned, he addressed the people, and instructed them how to perform the departure (circumambulation), offer their Sacrifice and do their ceremonies; and when he finished, Ali "Allah be pleased with him" stood and recited to the people the Surah of Bara'ah until he concluded it. When it was the first day of departure, Abu Bakr "Allah be pleased with him" stood, and addressed the people, and instructed them how to depart, and how to throw (the Jamrahs), and taught them their ceremonies; and when he finished, Ali "Allah be pleased with him" stood and recited to the people the Surah of Bara'ah until he concluded it.

[188] When Does Such As Intends To Continue Umrah On To Hajj Assume Ihram For Hajj?

2991- It is narrated on the authority of Jabir that he said: We reached Mecca with The Messenger of Allah "Allah's blessing and peace be upon him" when just four (nights) elapsed out of Dhul-Hijjah, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Put off Ihram, and make it only Umrah." We were disturbed by that, and we felt it, and when the news of that reached The Messenger of Allah "Allah's blessing and peace be upon him" he said: "O people! Put off Ihram: had it not been for the sacrificial animals which I have, surely, I would have done the same as you are going to do." We put off Ihram (and did everything) to the extent that we had sexual relations with our wives, and did everything a non-Muhrim did, until when it was the day of Tarwiyah, and we turned our backs to Mecca, we assumed Ihram for Hajj.

[189] Pertaining To Mina

2992- It is narrated on the authority of Muhammad Ibn Imran Al-Ansari from his father that he said: Abdullah Ibn Umar inclined towards me, while I was halting under a huge tree on the way of Mecca, and asked me: "What has led you to descend under that huge three?" I said: "In order to (protect myself against the heat of the sun with) its shade." He said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When you are between both mounts of Mina (and he beckoned with his hand towards the East) there is a valley called Surrab or Surar (umbilicus), in which there is a huge tree, underneath which the umbilical cord of seventy Prophets had been cut off (i.e. they had been born there)."

خَتَمَهَا، فَلَمَّا كَانَ يَوْمُ النَّفْرِ الأَوَّلُ قَامَ أَبُو بَكْرٍ فَخَطَبَ النَّاسَ فَحَدَّثَهُمْ كَيْفَ يَنْفِرُونَ وَكَيْفَ يَرْمُونَ فَعَلَّمَهُمْ مَنَاسِكَهُمْ، فَلَمَّا فَرَغَ قَامَ عَلِيٌّ فَقَرَأَ ﴿بَرَاءَةً﴾ عَلَى النَّاسِ حَتَّى خَتَمَهَا».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: ابْنُ خُثَيْمٍ لَيْسَ بِالْقَوِيِّ فِي الْحَدِيثِ وَإِنَّمَا أَخْرَجْتُ هٰذَا لَئِلاَّ يُجْعَلَ ٱبْنُ جُرَيْجٍ عَنْ أَبِي الزُّبَيْرِ وَمَا كَتَبْنَاهُ إِلاَّ عَنْ إِسْحَاقَ بْنِ إِبْرَاهِيمَ وَيَحْيَى بْنُ سَعِيدٍ الْقَطَّانُ لَمْ يَتْرُكْ حَدِيثَ ٱبْنِ خُثَيْمٍ وَلاَ عَبْدِ الرَّحْمٰنِ إِلاَّ أَنَّ عَلِيَّ بْنَ الْمَدِينِيِّ قَالَ: ٱبْنُ خُثَيْمٍ مُنْكَرُ الْحَدِيثِ وَكَأَنَّ عَلِيَّ بْنَ الْمَدِينِيِّ خُلِقَ لِلْحَدِيثِ.

(188) ـ المُتَمَتِّعُ متى يُهِلُّ بالحَجِّ

2991 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا عَبْدُ الْمَلِكِ عَنْ عَطَاءٍ عَنْ جَابِرٍ قَالَ: قَدِمْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ لأَرْبَعِ مَضَيْنَ مِنْ ذِي الْحِجَّةِ فَقَالَ النَّبِيُّ ﷺ: **«أَحِلُّوا وَاجْعَلُوهَا عُمْرَةً»** فَضَاقَتْ بِذٰلِكَ صُدُورُنَا وَكَبُرَ عَلَيْنَا فَبَلَغَ ذٰلِكَ النَّبِيَّ ﷺ فَقَالَ: **«يَا أَيُّهَا النَّاسُ أَحِلُّوا فَلَوْلاَ الْهَدْيُ الَّذِي مَعِي لَفَعَلْتُ مِثْلَ الَّذِي تَفْعَلُونَ»**. فَأَحْلَلْنَا حَتَّى وَطِئْنَا النِّسَاءَ وَفَعَلْنَا مَا يَفْعَلُ الْحَلاَلُ حَتَّى إِذَا كَانَ يَوْمُ التَّرْوِيَةِ وَجَعَلْنَا مَكَّةَ بِظَهْرٍ لَبَّيْنَا بِالْحَجِّ.

(189) ـ ما ذُكِرَ في مِنًى

2992 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ حَدَّثَنِي مَالِكٌ عَنْ مُحَمَّدِ بْنِ عَمْرِو بْنِ حَلْحَلَةَ الدُّؤَلِيِّ عَنْ مُحَمَّدِ بْنِ عِمْرَانَ الأَنْصَارِيِّ عَنْ أَبِيهِ قَالَ: عَدَلَ إِلَيَّ عَبْدُ ٱللَّهِ بْنُ عُمَرَ وَأَنَا نَازِلٌ تَحْتَ سَرْحَةٍ بِطَرِيقِ مَكَّةَ فَقَالَ: مَا أَنْزَلَكَ تَحْتَ هٰذِهِ الشَّجَرَةِ فَقُلْتُ: أَنْزَلَنِي ظِلُّهَا قَالَ عَبْدُ اللَّهِ: فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِذَا كُنْتَ بَيْنَ الأَخْشَبَيْنِ مِنْ مِنًى»** وَنَفَحَ بِيَدِهِ نَحْوَ الْمَشْرِقِ **«فَإِنَّ هُنَاكَ وَادِياً يُقَالُ لَهُ السُّرْبَةُ»** وَفِي حَدِيثِ الْحَارِثِ: **«يُقَالُ لَهُ السُّرَرُ بِهِ سَرْحَةٌ سُرَّ تَحْتَهَا سَبْعُونَ نَبِيّاً»**.

2993- It is narrated on the authority of Abd Ar-Rahman Ibn Mu'adh At-Taimi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" addressed us with his sermon at Mina, and Allah Almighty expanded our hearings so much that we were able to hear what he was saying while we were in our dwelling places. He went on instructing them in the ceremonies (of Hajj) and when he came up to the point of Jimar he placed both his index fingers and said: "With pebbles (as small and light as to be carried by) fingers." He commanded that the Muhajirs should descend in the front of the mosque, and the Ansar on its back.

[190] Where Does The Imam Pray Zhuhr On The Day Of Tarwiyah?

2994- It is narrated on the authority of Abd Al-Aziz Ibn Rufai that he said: I asked Anas: "Tell me about something you have learnt from The Messenger of Allah "Allah's blessing and peace be upon him": Where did The Messenger of Allah "Allah's blessing and peace be upon him" offer Zhuhr prayer on the day of Tarwiyah (eighth of Dhul-Hijjah)?" he said: "At Mina." I asked: "Where did he offer Asr on the day of Departure?" he said: "At Al-Abtah."

[191] Going Early In The Morning From Mina To Arafat

2995- It is narrated on the authority of Ibn Umar that he said: We went early in the morning from Mina to Arafat with The Messenger of Allah "Allah's blessing and peace be upon him", and some of us were reciting Talbiyah, and some were magnifying (Allah Almighty).

2996- It is narrated on the authority of Ibn Umar that he said: We went early in the morning to Arafat with The Messenger of Allah "Allah's blessing and peace be upon him", and some of us were reciting Talbiyah, and some were magnifying (Allah Almighty).

[192] Magnifying Allah While Proceeding On To Arafah

2997- It is narrated on the authority of Muhammad Ibn Abu Bakr Ath-Thaqafi that he said: I said to Anas while we were proceeding on from Mina to Arafat early in the morning: "What did you use to do pertaining to Talbiyah while you were with The Messenger of Allah "Allah's blessing and peace be upon him"?" he said: "One could recite Talbiyah if he so liked, and he was not criticized; and one could magnify (Allah Almighty) if he so liked, and he was not criticized."

[193] Reciting Talbiyah On That Day

2998- It is narrated on the authority of Muhammad Ibn Abu Bakr Ath-Thaqafi that he said: I asked Anas on the morning of the day of Arafah:

2993 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمِ بْنِ نَعِيمٍ قَالَ: أَنْبَأَنَا سُوَيْدٌ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ عَبْدِ الْوَارِثِ ثِقَةٌ قَالَ: حَدَّثَنَا حُمَيْدٌ الأَعْرَجُ عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ التَّيْمِيِّ عَنْ رَجُلٍ مِنْهُمْ يُقَالُ لَهُ عَبْدِ الرَّحْمٰنِ بْنُ مُعَاذٍ قَالَ: خَطَبَنَا رَسُولُ ٱللَّهِ ﷺ بِمِنًى فَفَتَحَ ٱللَّهُ أَسْمَاعَنَا حَتَّى إِنْ كُنَّا لَنَسْمَعُ مَا يَقُولُ وَنَحْنُ فِي مَنَازِلِنَا فَطَفِقَ النَّبِيُّ ﷺ يُعَلِّمُهُمْ مَنَاسِكَهُمْ حَتَّى بَلَغَ الْجِمَارَ فَقَالَ: بِحَصَى الْخَذْفِ، وَأَمَرَ الْمُهَاجِرِينَ أَنْ يَنْزِلُوا فِي مُقَدَّمِ الْمَسْجِدِ وَأَمَرَ الأَنْصَارَ أَنْ يَنْزِلُوا فِي مُؤَخَّرِ الْمَسْجِدِ.

(190) ـ أين يُصَلِّي الإمامُ الظُّهْرَ يَوْمَ التَّرْوِيَةِ

2994 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ وَعَبْدِ الرَّحْمٰنِ بْنُ مُحَمَّدِ بْنِ سَلاَّمٍ قَالاَ: حَدَّثَنَا إِسْحَاقُ الأَزْرَقُ عَنْ سُفْيَانَ الثَّوْرِيِّ عَنْ عَبْدِ الْعَزِيزِ بْنِ رُفَيْعٍ قَالَ: سَأَلْتُ أَنَسَ بْنَ مَالِكٍ فَقُلْتُ: أَخْبِرْنِي بِشَيْءٍ عَقَلْتَهُ عَنْ رَسُولِ ٱللَّهِ ﷺ أَيْنَ صَلَّى الظُّهْرَ يَوْمَ التَّرْوِيَةِ؟ قَالَ: بِمِنًى فَقُلْتُ: أَيْنَ صَلَّى الْعَصْرَ يَوْمَ النَّفْرِ؟ قَالَ: بِالأَبْطَحِ.

(191) ـ الغُدُوُّ من مِنًى إلى عَرَفَةَ

2995 ـ أَخْبَرَنَا يَحْيَى بْنُ حَبِيبِ بْنِ عَرَبِيٍّ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ يَحْيَى بْنِ سَعِيدٍ الأَنْصَارِيِّ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي سَلَمَةَ عَنِ ٱبْنِ عُمَرَ قَالَ: غَدَوْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ مِنْ مِنًى إِلَى عَرَفَةَ فَمِنَّا الْمُلَبِّي وَمِنَّا الْمُكَبِّرُ.

2996 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ الدَّوْرَقِيُّ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي سَلَمَةَ عَنِ ٱبْنِ عُمَرَ قَالَ: غَدَوْنَا مَعَ رَسُولِ ٱللَّهِ ﷺ إِلَى عَرَفَاتَ فَمِنَّا الْمُلَبِّي وَمِنَّا الْمُكَبِّرُ.

(192) ـ التَّكْبِيرُ في المَسِيرِ إلى عَرَفَةَ

2997 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا الْمُلاَئِيُّ يَعْنِي أَبَا نَعِيمٍ الْفَضْلَ بْنَ دُكَيْنٍ قَالَ: حَدَّثَنَا مَالِكٌ قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ أَبِي بَكْرٍ الثَّقَفِيُّ قَالَ: قُلْتُ لأَنَسٍ وَنَحْنُ غَادِيَانِ مِنْ مِنًى إِلَى عَرَفَاتَ مَا كُنْتُمْ تَصْنَعُونَ فِي التَّلْبِيَةِ مَعَ رَسُولِ ٱللَّهِ ﷺ فِي هٰذَا الْيَوْمِ؟ قَالَ: كَانَ الْمُلَبِّي يُلَبِّي فَلاَ يُنْكَرُ عَلَيْهِ وَيُكَبِّرُ الْمُكَبِّرُ فَلاَ يُنْكَرُ عَلَيْهِ.

(193) ـ التَّلْبِيَةُ فيه

2998 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ بْنُ رَجَاءٍ قَالَ: حَدَّثَنَا مُوسَى بْنُ عُقْبَةَ عَنْ مُحَمَّدِ بْنِ أَبِي بَكْرٍ وَهُوَ الثَّقَفِيُّ قَالَ: قُلْتُ لأَنَسٍ غَدَاةَ عَرَفَةَ: مَا

"What do you say about Talbiyah on that day?" he said: "No doubt, I proceeded on that way with The Messenger of Allah "Allah's blessing and peace be upon him" and his companions, and some of them were reciting Talbiyah, and others were magnifying Allah, and none of them criticized the other.

[194] Pertaining To The Day Of Arafah

2999- It is narrated on the authority of Tariq Ibn Shihab that he said: A Jew said to Umar: "Had this Holy Verse been revealed upon us, surely, we would have taken that day (on which it was revealed) as a day of festival: "Today, I've perfected your religion for you…"" on that Umar said: "Indeed, I know the very day and the very night on which it was revealed: the night of Friday, while we were with The Messenger of Allah "Allah's blessing and peace be upon him" at Arafat."

3000- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no day, on which Allah Almighty is ready to release from the fire (of Hell) men and women more than the day of Arafah. He Almighty approaches (His servants with His Mercy) and vies in glory with the angels because of their number and says: "What have those wanted?""

[195] It Is Forbidden To Fast The Day Of Arafah

3001- It is narrated on the authority of Uqbah Ibn Amir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: " The festival of us, people of Islam, is on the day of Arafah, the day of Sacrifice, and the days of Tashriq (i.e. from ninth to thirteenth of Dhul-Hijjah); and those are days of eating and drinking."

[196] Going At Noon On The Day Of Arafah

3002- It is narrated on the authority of Salim Ibn Abdullah Ibn Umar that he said: Abd Al-Malik Ibn Marwan wrote to Al-Hajjaj Ibn Yusuf that he should follow Abdullah Ibn Umar in all the ceremonies of Hajj. So when it was the Day of Arafat (ninth of Dhul-Hijjah), and after the sun had declined from the middle of the sky, Ibn Umar came and I was with him, and he shouted near the cotton tent of Al-Hajjaj: "Where is he?" Al-Hajjaj came out, having a cover dyed with safflower. He asked: "What is the matter with you O Abu Abd Ar-Rahman?" he said: "Let us proceed (to Arafat) if you like to follow the right way of sunnah." Al-Hajjaj asked: "Just now?" Ibn Umar replied: "Yes." Al-Hajjaj said: "Wait for me till I pour water over me (and take a bath) and then I will come out to you." So, Ibn Umar waited till Al-Hajjaj came out. He was walking between my father and me. I said to him: "If you want to follow the right way of Sunnah today, then you should

تَقُولُ فِي التَّلْبِيَةِ فِي هٰذَا الْيَوْمِ؟ قَالَ: سِرْتُ هٰذَا الْمَسِيرَ مَعَ رَسُولِ ٱللَّهِ ﷺ وَأَصْحَابِهِ وَكَانَ مِنْهُمُ الْمُهِلُّ وَمِنْهُمُ الْمُكَبِّرُ فَلاَ يُنْكِرُ أَحَدٌ مِنْهُمْ عَلَى صَاحِبِهِ.

(194) ـ ما ذُكِرَ في يَوْمِ عَرَفَةَ

2999 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ بْنُ إِدْرِيسَ عَنْ أَبِيهِ عَنْ قَيْسِ بْنِ مُسْلِمٍ عَنْ طَارِقِ بْنِ شِهَابٍ قَالَ: قَالَ يَهُودِيٌّ لِعُمَرَ: لَوْ عَلَيْنَا نَزَلَتْ هٰذِهِ الآيَةُ لاَتَّخَذْنَاهُ عِيداً ﴿ٱلْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ﴾ [المائدة: 3] قَالَ عُمَرُ: قَدْ عَلِمْتُ الْيَوْمَ الَّذِي أُنْزِلَتْ فِيهِ وَاللَّيْلَةَ الَّتِي أُنْزِلَتْ لَيْلَةَ الْجُمُعَةِ وَنَحْنُ مَعَ رَسُولِ ٱللَّهِ ﷺ بِعَرَفَاتٍ.

3000 ـ أَخْبَرَنَا عِيسَى بْنُ إِبْرَاهِيمَ عَنِ ابْنِ وَهْبٍ قَالَ: أَخْبَرَنِي مَخْرَمَةُ عَنْ أَبِيهِ قَالَ: سَمِعْتُ يُونُسَ عَنِ ٱبْنِ الْمُسَيَّبِ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«مَا مِنْ يَوْمٍ أَكْثَرَ مِنْ أَنْ يَعْتِقَ ٱللَّهُ عَزَّ وَجَلَّ فِيهِ عَبْداً أَوْ أَمَةً مِنَ النَّارِ مِنْ يَوْمِ عَرَفَةَ وَإِنَّهُ لَيَدْنُو ثُمَّ يُبَاهِي بِهِمُ الْمَلاَئِكَةَ وَيَقُولُ مَا أَرَادَ هٰؤلاَءِ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: يُشْبِهُ أَنْ يَكُونَ يُونُسَ بْنَ يُوسُفَ الَّذِي رَوَى عَنْهُ مَالِكٌ وَٱللَّهُ تَعَالَى أَعْلَمُ.

(195) ـ النَّهْيُ عن صَوْمِ يَوْمِ عَرَفَةَ

3001 ـ أَخْبَرَنِي عُبَيْدُ ٱللَّهِ بْنُ فَضَالَةَ بْنِ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ وَهُوَ ٱبْنُ يَزِيدَ الْمُقْرِئُ قَالَ: حَدَّثَنَا مُوسَى بْنُ عَلِيٍّ قَالَ: سَمِعْتُ أَبِي يُحَدِّثُ عَنْ عُقْبَةَ بْنِ عَامِرٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«إِنَّ يَوْمَ عَرَفَةَ وَيَوْمَ النَّحْرِ وَأَيَّامَ التَّشْرِيقِ عِيدُنَا أَهْلَ الإِسْلاَمِ وَهِيَ أَيَّامُ أَكْلٍ وَشُرْبٍ»**.

(196) ـ الرَّوَاحُ يَوْمَ عَرَفَةَ

3002 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: أَخْبَرَنِي أَشْهَبُ قَالَ: أَخْبَرَنِي مَالِكٌ أَنَّ ٱبْنَ شِهَابٍ حَدَّثَهُ عَنْ سَالِمِ بْنِ عَبْدِ ٱللَّهِ قَالَ: كَتَبَ عَبْدُ الْمَلِكِ بْنُ مَرْوَانَ إِلَى الْحَجَّاجِ بْنِ يُوسُفَ يَأْمُرُهُ أَنْ لاَ يُخَالِفَ ٱبْنَ عُمَرَ فِي أَمْرِ الْحَجِّ فَلَمَّا كَانَ يَوْمُ عَرَفَةَ جَاءَهُ ٱبْنُ عُمَرَ حِينَ زَالَتِ الشَّمْسُ وَأَنَا مَعَهُ فَصَاحَ عِنْدَ سُرَادِقِهِ أَيْنَ هٰذَا؟ فَخَرَجَ إِلَيْهِ الْحَجَّاجُ وَعَلَيْهِ مِلْحَفَةٌ مُعَصْفَرَةٌ فَقَالَ لَهُ: مَا لَكَ يَا أَبَا عَبْدِ الرَّحْمٰنِ؟ قَالَ: الرَّوَاحَ. إِنْ كُنْتَ تُرِيدُ السُّنَّةَ فَقَالَ لَهُ: هٰذِهِ السَّاعَةَ! فَقَالَ لَهُ: نَعَمْ فَقَالَ: أَفِيضُ عَلَيَّ مَاءً ثُمَّ أَخْرُجُ إِلَيْكَ فَٱنْتَظِرْهُ حَتَّى خَرَجَ فَسَارَ بَيْنِي وَبَيْنَ أَبِي فَقُلْتُ: إِنْ كُنْتَ تُرِيدُ أَنْ تُصِيبَ السُّنَّةَ

shorten the sermon and then hurry up for the stay (at Arafat)." Al-Hajjaj looked at Ibn Umar, in order to hear a confirmation of that from him, and when Ibn Umar observed that, he said: "He (Salim) has told the truth."

[197] Reciting Talbiyah At Arafah

3003- It is narrated on the authority of Sa'id Ibn Jubair that he said: I was with Ibn Abbas at Arafat when he said: "Why do I not hear the people reciting Talbiyah?" I said: "They are afraid of Mu'awiyah." On that Ibn Abbas came out of his tent and said: "I'm responding to Your Call, O Allah; I'm responding to Your Call! I'm responding to Your Call!' no doubt, they have left the right way of sunnah out of their aversion towards Ali."

[198] Delivering the sermon at Arafah before Offering prayer

3004- It is narrated on the authority of Salamah Ibn Nubait from his father that he said: I saw Allah's Apostle "Allah's blessing and peace be upon him" delivering the sermon on a red camel at Arafat before offering prayer.

[199] Delivering The Sermon Of Arafah On A She-Camel

3005- It is narrated on the authority of Salamah Ibn Nubait from his father that he said: I saw Allah's Apostle "Allah's blessing and peace be upon him" delivering the sermon on a red camel at Arafat before offering prayer.

[200] Shortening The Sermon At Arafah

3006- It is narrated on the authority of Salim Ibn Abdullah Ibn Umar that Ibn Umar came to Al-Hajjaj Ibn Yusuf, and I was with him, after the sun had declined from the middle of the sky, and said to him: "Let us proceed (to Arafat) if you like to follow the right way of sunnah." Al-Hajjaj asked: "Just now?" Ibn Umar replied: "Yes." I said to him: "If you want to follow the right way of Sunnah today, then you should shorten the sermon and then hurry up to offer prayer." Ibn Umar said: "He (Salim) has told the truth."

[201] Combining Both Zhuhr And Asr Prayers At Arafah

3007- It is narrated on the authority of Abdullah that he said: Allah's Apostle "Allah's blessing and peace be upon him" used to offer prayer just at its fixed stated time, barring whenever he was at Muzdalifah and Arafat.

[202] Raising Both Hands While Invoking At Arafah

3008- It is narrated on the authority of Usamah Ibn Zaid that he said: I was riding behind Allah's Apostle "Allah's blessing and peace be upon him" at Arafah, when he raised both his hands and went on invoking (Allah

فَاقْصِرِ الْخُطْبَةَ وَعَجِّلِ الْوُقُوفَ فَجَعَلَ يَنْظُرُ إِلَى ٱبْنِ عُمَرَ كَيْمَا يَسْمَعَ ذٰلِكَ مِنْهُ فَلَمَّا رَأَى ذٰلِكَ ٱبْنُ عُمَرَ قَالَ: صَدَقَ.

(197) ـ التَّلْبِيَةُ بِعَرَفَةَ

3003 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عُثْمَانَ بْنِ حَكِيمٍ الأَوْدِيُّ قَالَ: حَدَّثَنَا خَالِدُ بْنُ مَخْلَدٍ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ صَالِحٍ عَنْ مَيْسَرَةَ بْنِ حَبِيبٍ عَنِ الْمِنْهَالِ بْنِ عَمْرٍو عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: كُنْتُ مَعَ ٱبْنِ عَبَّاسٍ بِعَرَفَاتَ فَقَالَ: مَا لِي لاَ أَسْمَعُ النَّاسَ يُلَبُّونَ؟ قُلْتُ: يَخَافُونَ مِنْ مُعَاوِيَةَ فَخَرَجَ ٱبْنُ عَبَّاسٍ مِنْ فُسْطَاطِهِ فَقَالَ: لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ لَبَّيْكَ فَإِنَّهُمْ قَدْ تَرَكُوا السُّنَّةَ مِنْ بُغْضِ عَلِيٍّ.

(198) ـ الخُطْبَةُ بِعَرَفَةَ قبل الصَّلاة

3004 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى عَنْ سُفْيَانَ عَنْ سَلَمَةَ بْنِ نُبَيْطٍ عَنْ أَبِيهِ قَالَ: رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَخْطُبُ عَلَى جَمَلٍ أَحْمَرَ بِعَرَفَةَ قَبْلَ الصَّلاَةِ.

(199) ـ الخُطْبَةُ يوم عَرَفَةَ على النَّاقَةِ

3005 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ آدَمَ عَنِ ٱبْنِ الْمُبَارَكِ عَنْ سَلَمَةَ بْنِ نُبَيْطٍ عَنْ أَبِيهِ قَالَ: رأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَخْطُبُ يَوْمَ عَرَفَةَ عَلَى جَمَلٍ أَحْمَرَ.

(200) ـ قَصْرُ الخُطْبَةِ بعَرَفَةَ

3006 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ أَخْبَرَنِي مَالِكٌ عَنِ ٱبْنِ شِهَابٍ عَنْ سَالِمِ بْنِ عَبْدِ ٱللَّهِ: أَنَّ عَبْدَ اللَّهِ بْنَ عُمَرَ جَاءَ إِلَى الْحَجَّاجِ بْنِ يُوسُفَ يَوْمَ عَرَفَةَ حِينَ زَالَتِ الشَّمْسُ وَأَنَا مَعَهُ فَقَالَ: الرَّوَاحَ. إِنْ كُنْتَ تُرِيدُ السُّنَّةَ فَقَالَ: هٰذِهِ السَّاعَةَ قَالَ: نَعَمْ قَالَ سَالِمٌ: فَقُلْتُ لِلْحَجَّاجِ: إِنْ كُنْتَ تُرِيدُ أَنْ تُصِيبَ الْيَوْمَ السُّنَّةَ فَاقْصِرِ الْخُطْبَةَ وَعَجِّلِ الصَّلاَةَ، فَقَالَ عَبْدُ ٱللَّهِ بْنُ عُمَرَ: صَدَقَ.

(201) ـ الجَمْعُ بين الظُّهْرِ والعَصْرِ بعَرَفَةَ

3007 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ عَنْ خَالِدٍ عَنْ شُعْبَةَ عَنْ سُلَيْمَانَ عَنْ عُمَارَةَ بْنِ عُمَيْرٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ عَنْ عَبْدِ ٱللَّهِ قَالَ: كَانَ رَسُولُ ٱللَّهِ ﷺ يُصَلِّي الصَّلاَةَ لِوَقْتِهَا إِلاَّ بِجَمْعٍ وَعَرَفَاتٍ.

(202) ـ رَفْعُ اليَدَيْنِ في الدُّعَاءِ بعَرَفَةَ

3008 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ عَنْ هُشَيْمٍ قَالَ: حَدَّثَنَا عَبْدُ الْمَلِكِ عَنْ عَطَاءٍ قَالَ: قَالَ أُسَامَةُ بْنُ زَيْدٍ: كُنْتُ رَدِيفَ النَّبِيِّ ﷺ بِعَرَفَاتٍ فَرَفَعَ يَدَيْهِ يَدْعُو فَمَالَتْ بِهِ

Almighty). Then, the nose-string of his she-camel inclined, thereupon he caught hold of it with one of his hands, and kept raising the other.

3009- It is narrated on the authority of A'ishah that she said: The Quraish people used to stay at Muzdalifah and they were called Al-Hums (vigorous in sticking to the traditions of their religion), while the rest of the Arabs used to stay at Arafat. Allah "Exalted and Blessed be He" ordered His Prophet "Allah's blessing and peace be upon him" to go to Arafat where he should stay, and then pass on from there. On that Allah Almighty revealed: "Then pass on at a quick pace from the place whence it is usual for the multitude so to do." (Al-Baqarah 199)

3010- It is narrated on the authority of Muhammad Ibn Jubair Ibn Mut'im from his father that he said: I lost a camel of mine, and I went in pursuit of it and that was on the Day of Arafah, and I saw Allah's Apostle "Allah's blessing and peace be upon him" standing there (at Arafah mountain), thereupon I said: "What is the matter with that man? He belongs to the Hums (who should stand at Muzdalifah)."

3011- It is narrated on the authority of Yazid Ibn Shaiban that he said: We were standing at Arafah, a distance far from the place (in which the Prophet was standing), thereupon Ibn Mirba' Al-Ansari came to us and said: I'm the messenger of Allah's Apostle "Allah's blessing and peace be upon him" to you, with the message that "You should keep in your places, for now (by your standing at this place which is a part of Arafat) you stick to a portion of the heritage of your father Abraham "Peace be upon him" (who laid the foundation of staying at Arafat)."

3012- It is narrated on the authority of Ja'far Ibn Muhammad that he said: My father told: We went to Jabir Ibn Abdullah and asked him about the Hajj offered by Allah's Apostle "Allah's blessing and peace be upon him", thereupon he told us that Allah's Apostle "Allah's blessing and peace be upon him" said: "The whole area of Arafah is fitting for a place of stay."

[203] The Obligation Of Standing At Arafah

3013- It is narrated on the authority of Abd Ar-Rahman Ibn Ya'mur that he said: I was present with Allah's Apostle "Allah's blessing and peace be upon him" when some people came to him and asked him about the (fundaments of) Hajj, thereupon Allah's Apostle "Allah's blessing and peace be upon him" said: "The (essential fundament of) Hajj is (to stay at) Arafah: whoever catches up with the night of Arafah before the rise of the dawn of the night of Muzdalifah, his Hajj is complete."

نَاقَتُهُ فَسَقَطَ خِطَامُهَا فَتَنَاوَلَ الْخِطَامَ بِإِحْدَى يَدَيْهِ وَهُوَ رَافِعٌ يَدَهُ الأُخْرَى.

3009 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا أَبُو مُعَاوِيَةَ قَالَ: حَدَّثَنَا هِشَامٌ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: كَانَتْ قُرَيْشٌ تَقِفُ بِالْمُزْدَلِفَةِ وَيُسَمَّوْنَ الْحُمْسَ وَسَائِرُ الْعَرَبِ تَقِفُ بِعَرَفَةَ فَأَمَرَ ٱللَّهُ تَبَارَكَ وَتَعَالَى نَبِيَّهُ ﷺ أَنْ يَقِفَ بِعَرَفَةَ ثُمَّ يَدْفَعُ مِنْهَا فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ ﴿ثُمَّ أَفِيضُوا مِنْ حَيْثُ أَفَاضَ ٱلنَّاسُ﴾.

3010 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ مُحَمَّدِ بْنِ جُبَيْرِ بْنِ مُطْعِمٍ عَنْ أَبِيهِ قَالَ: أَضْلَلْتُ بَعِيراً لِي فَذَهَبْتُ أَطْلُبُهُ بِعَرَفَةَ يَوْمَ عَرَفَةَ فَرَأَيْتُ النَّبِيَّ ﷺ وَاقِفاً فَقُلْتُ: مَا شَأْنُ هٰذَا إِنَّمَا هٰذَا مِنَ الْحُمْسِ.

3011 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ عَمْرِو بْنِ عَبْدِ ٱللَّهِ بْنِ صَفْوَانَ أَنَّ يَزِيدَ بْنَ شَيْبَانَ قَالَ: كُنَّا وُقُوفاً بِعَرَفَةَ مَكَاناً بَعِيداً مِنَ الْمَوْقِفِ فَأَتَانَا ٱبْنُ مِرْبَعٍ الأَنْصَارِيُّ فَقَالَ: إِنِّي رَسُولُ رَسُولِ ٱللَّهِ ﷺ إِلَيْكُمْ يَقُولُ: «**كُونُوا عَلَى مَشَاعِرِكُمْ فَإِنَّكُمْ عَلَى إِرْثٍ مِنْ إِرْثِ أَبِيكُمْ إِبْرَاهِيمَ عَلَيْهِ السَّلَامُ**».

3012 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا أَبِي قَالَ: أَتَيْنَا جَابِرَ بْنَ عَبْدِ ٱللَّهِ فَسَأَلْنَاهُ عَنْ حَجَّةِ النَّبِيِّ ﷺ فَحَدَّثَنَا أَنَّ نَبِيَّ ٱللَّهِ ﷺ قَالَ: «**عَرَفَةَ كُلُّهَا مَوْقِفٌ**».

(203) ـ فَرْضُ الوُقُوفِ بِعَرَفَةَ

3013 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا وَكِيعٌ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ بُكَيْرِ بْنِ عَطَاءٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَعْمُرَ قَالَ: شَهِدْتُ رَسُولَ ٱللَّهِ ﷺ فَأَتَاهُ نَاسٌ فَسَأَلُوهُ عَنِ الْحَجِّ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**الْحَجُّ عَرَفَةُ فَمَنْ أَدْرَكَ لَيْلَةَ عَرَفَةَ قَبْلَ طُلُوعِ الْفَجْرِ مِنْ لَيْلَةِ جَمْعٍ فَقَدْ تَمَّ حَجُّهُ**».

3014- It is narrated on the authority of Al-Fadl Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" passed on at a quick pace from Arafah, and Usamah Ibn Zaid was riding behind him, and the she-camel swerved with him (from the due path), and he kept raising his hands up to the level of his head (in order to keep control over it), and he remained proceeding with tranquillity until he reached Muzdalifah.

3015- It is narrated on the authority of Ibn Abbas that Usamah Ibn Zaid said: Allah's Apostle "Allah's blessing and peace be upon him" passed on at a quick pace from Arafah, and I was riding behind him, and he kept curbing his riding mount (to have control over it) to the extent that its ears were about to touch its front part, and he was saying: "O people! Adhere to tranquillity and reverence, for it is not out of righteousness to get the camels proceed fast."

[204] The Command To Adhere To Tranquillity While Passing On From Arafat

3016- It is narrated on the authority of Ibn Abbas that he said: When Allah's Apostle "Allah's blessing and peace be upon him" drove (on his return from Arafat) he tightened the rein of his she-camel, to the extent that its head was about to touch the front part of his saddle, and he was saying to the people: "Stick to tranquillity! Stick to tranquillity!" this was in the evening of (the day of) Arafah.

3017- It is narrated on the authority of Ibn Abbas from Al-Fadl Ibn Abbas, who was riding behind The Messenger of Allah "Allah's blessing and peace be upon him" (on his mount), that The Messenger of Allah "Allah's blessing and peace be upon him" said to the people when they started marching in the evening of (the day of) Arafat, till the morning of (the day they reached) Muzdalifah: "be quiet (in proceeding)!" he himself drove his she-camel, (with more control as he was) preventing it from running. When He entered (the valley of) Muhassir, near Mina, he said: "Pick up the pebbles with which the Jamrah should be stoned." The Messenger of Allah "Allah's blessing and peace be upon him" kept reciting Talbiyah until he stoned the Jamrah.

3018- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" passed on (from Arafat) with tranquillity, and ordered the people to stick to tranquillity, and he drove his mount at a quick pace when he reached the valley of Muhassir, and commanded them to throw the Jamrah with pebbles as (small as to be carried by only two) fingers.

3014 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ عَنْ عَبْدِ الْمَلِكِ بْنِ أَبِي سُلَيْمَانَ عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ عَنِ الْفَضْلِ بْنِ عَبَّاسٍ قَالَ: أَفَاضَ رَسُولُ ٱللَّهِ ﷺ مِنْ عَرَفَاتَ وَرِدْفُهُ أُسَامَةُ بْنُ زَيْدٍ فَجَالَتْ بِهِ النَّاقَةُ وَهُوَ رَافِعٌ يَدَيْهِ لاَ تُجَاوِزَانِ رَأْسَهُ فَمَا زَالَ يَسِيرُ عَلَى هِينَتِهِ حَتَّى ٱنْتَهَى إِلَى جُمْعٍ.

3015 ـ أَخْبَرَنَا إِبْرَاهِيمُ بْنُ يُونُسَ بْنِ مُحَمَّدٍ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ قَيْسِ بْنِ سَعْدٍ عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ أَنَّ أُسَامَةَ بْنَ زَيْدٍ قَالَ: أَفَاضَ رَسُولُ ٱللَّهِ ﷺ مِنْ عَرَفَةَ وَأَنَا رَدِيفُهُ فَجَعَلَ يَكْبَحُ رَاحِلَتَهُ حَتَّى أَنَّ ذِفْرَاهَا لَيَكَادُ يُصِيبُ قَادِمَةَ الرَّحْلِ وَهُوَ يَقُولُ: **«يَا أَيُّهَا النَّاسُ عَلَيْكُمْ بِالسَّكِينَةِ وَالْوِقَارِ فَإِنَّ الْبِرَّ لَيْسَ فِي إِيضَاعِ الإِبِلِ»**.

(204) ـ الأَمْرُ بِالسَّكِينَةِ فِي الإِفَاضَةِ مِن عَرَفَةَ

3016 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَلِيِّ بْنِ حَرْبٍ قَالَ: حَدَّثَنَا مُحْرِزُ بْنُ الوَضَّاحِ عَنْ إِسْمَاعِيلَ يَعْنِي ٱبْنَ أُمَيَّةَ عَنْ أَبِي غَطْفَانَ بْنِ طَرِيفٍ حَدَّثَهُ أَنَّهُ سَمِعَ ٱبْنَ عَبَّاسٍ يَقُولُ: لَمَّا دَفَعَ رَسُولُ ٱللَّهِ ﷺ شَنَقَ نَاقَتَهُ حَتَّى أَنَّ رَأْسَهَا لَيَمَسُّ وَاسِطَةَ رِحْلِهِ وَهُوَ يَقُولُ لِلنَّاسِ: **«السَّكِينَةَ السَّكِينَةَ»** عَشِيَّةَ عَرَفَةَ.

3017 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ أَبِي الزُّبَيْرِ عَنْ أَبِي مَعْبَدٍ مَوْلَى ٱبْنِ عَبَّاسٍ عَنِ ابْنِ عَبَّاسٍ عَنِ الْفَضْلِ بْنِ عَبَّاسٍ وَكَانَ رَدِيفَ رَسُولِ ٱللَّهِ ﷺ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ فِي عَشِيَّةِ عَرَفَةَ وَغَدَاةِ جَمْعٍ لِلنَّاسِ حِينَ دَفَعُوا: **«عَلَيْكُمُ السَّكِينَةُ»**. وَهُوَ كَافٌّ نَاقَتَهُ حَتَّى إِذَا دَخَلَ مُحَسِّراً وَهُوَ مِنْ مِنًى قَالَ: **«عَلَيْكُمْ بِحَصَى الْخَذْفِ»** الَّذِي يُرْمَى بِهِ فَلَمْ يَزَلْ رَسُولُ ٱللَّهِ ﷺ يُلَبِّي حَتَّى رَمَى الْجَمْرَةَ.

3018 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: أَفَاضَ رَسُولُ ٱللَّهِ ﷺ وَعَلَيْهِ السَّكِينَةُ وَأَمَرَهُمْ بِالسَّكِينَةِ وَأَوْضَعَ فِي وَادِي مُحَسِّرٍ وَأَمَرَهُمْ أَنْ يَرْمُوا الْجَمْرَةَ بِمِثْلِ حَصَى الْخَذْفِ.

3019- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" passed on from Arafat (with tranquillity) while he was saying (to the people): "Adhere to tranquillity O servants of Allah!" he was pointing with his hand as such. Ayyub (the sub-narrator) pointed with the inside of his hand to the sky (in illustration of that).

[205] How Should One Proceed On From Arafah?

3020- It is narrated on the authority of Usamah Ibn Zaid that he was asked about the way The Messenger of Allah "Allah's blessing and peace be upon him" proceeded (from Arafat) during his Hajj, and he said: "He proceeded at a normal pace, and if he found a space, he proceeded at a quick pace."

[206] Halting After Proceeding On The Way Of Return From Arafah

3021- It is narrated on the authority of Usamah Ibn Zaid that when The Messenger of Allah "Allah's blessing and peace be upon him" poured down from Arafah, he inclined to the mountain pass. He said: I asked him: "Would you offer Maghrib prayer?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "The (place of) prayer is in front of you."

3022- It is narrated on the authority of Usamah Ibn Zaid that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" reached the mountain pass, which the chiefs (of Umayyads) used to descend (afterwards to offer Maghrib prayer before the time of Isha would come), he (dismounted and) urinated. He then performed a light ablution. I said to him: "(Would you not offer) the prayer, O Messenger of Allah?" he said: "The (place of) prayer is ahead of you." When we reached Muzdalifah, the last of the people (to come) did not unpack (his luggage) until (the Isha prayer was established and) he led the prayer.

[207] Combining Both (Maghrib And Isha) Prayers At Muzdalifah

3023- It is narrated on the authority of Abu Ayyub that The Messenger of Allah "Allah's blessing and peace be upon him" combined both Maghrib and Isha prayers at Muzdalifah.

3024- It is narrated on the authority of Ibn Mas'ud that The Messenger of Allah "Allah's blessing and peace be upon him" combined both Maghrib and Isha prayers at Muzdalifah.

3025- It is narrated on the authority of Salim from his father (Ibn Umar) that he said: The Messenger of Allah "Allah's blessing and peace be upon him" combined both Maghrib and Isha prayers at Muzdalifah, with a single Iqamah, and he offered no supererogatory prayer between or after each of them.

3019 ـ أَخْبَرَنِي أَبُو دَاوُدَ قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنْ أَيُّوبَ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ: أَنَّ النَّبِيَّ ﷺ أَفَاضَ مِنْ عَرَفَةَ وَجَعَلَ يَقُولُ: «السَّكِينَةَ عِبَادَ ٱللَّهِ» يَقُولُ بِيَدِهِ هٰكَذَا وَأَشَارَ أَيُّوبُ بِبَاطِنِ كَفِّهِ إِلَى السَّمَاءِ.

(205) ـ كيف السَّيْرُ من عَرَفَةَ

3020 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَحْيَى عَنْ هِشَامٍ عَنْ أَبِيهِ عَنْ أُسَامَةَ بْنِ زَيْدٍ: أَنَّهُ سُئِلَ عَنْ مَسِيرِ النَّبِيِّ ﷺ فِي حَجَّةِ الْوَدَاعِ قَالَ: كَانَ يَسِيرُ الْعَنَقَ فَإِذَا وَجَدَ فَجْوَةً نَصَّ وَالنَّصُّ فَوْقَ الْعَنَقِ.

(206) ـ النُّزُولُ بعد الدَّفْعِ من عَرَفَةَ

3021 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ إِبْرَاهِيمَ بْنِ عُقْبَةَ عَنْ كُرَيْبٍ عَنْ أُسَامَةَ بْنِ زَيْدٍ: أَنَّ النَّبِيَّ ﷺ حَيْثُ أَفَاضَ مِنْ عَرَفَةَ مَالَ إِلَى الشِّعْبِ قَالَ: فَقُلْتُ لَهُ أَتُصَلِّي الْمَغْرِبَ؟ قَالَ: «الْمُصَلَّى أَمَامَكَ».

3022 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا وَكِيعٌ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ إِبْرَاهِيمَ بْنِ عُقْبَةَ عَنْ كُرَيْبٍ عَنْ أُسَامَةَ بْنِ زَيْدٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ نَزَلَ الشِّعْبَ الَّذِي يَنْزِلُهُ الأُمَرَاءُ فَبَالَ ثُمَّ تَوَضَّأَ وُضُوءاً خَفِيفاً فَقُلْتُ: يَا رَسُولَ ٱللَّهِ الصَّلاَةَ قَالَ: «الصَّلاَةُ أَمَامَكَ» فَلَمَّا أَتَيْنَا الْمُزْدَلِفَةَ لَمْ يَحُلَّ آخِرُ النَّاسِ حَتَّى صَلَّى.

(207) ـ الجَمْعُ بين الصَّلاتَيْنِ بالمُزْدَلِفَةِ

3023 ـ أَخْبَرَنَا يَحْيَى بْنُ حَبِيبِ بْنِ عَرَبِيٍّ عَنْ حَمَّادٍ عَنْ يَحْيَى عَنْ عَدِيِّ بْنِ ثَابِتٍ عَنْ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ عَنْ أَبِي أَيُّوبَ أَنَّ رَسُولَ ٱللَّهِ ﷺ جَمَعَ بَيْنَ الْمَغْرِبِ وَالْعَشَاءِ بِجُمْعٍ.

3024 ـ أَخْبَرَنَا الْقَاسِمُ بْنُ زَكَرِيَّا قَالَ: حَدَّثَنَا مُصْعَبُ بْنُ الْمِقْدَامِ عَنْ دَاوُدَ عَنِ الأَعْمَشِ عَنْ عُمَارَةَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ عَنِ ٱبْنِ مَسْعُودٍ: أَنَّ النَّبِيَّ ﷺ جَمَعَ بَيْنَ الْمَغْرِبِ وَالْعِشَاءِ بِجُمْعٍ.

3025 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى عَنِ ٱبْنِ أَبِي ذِئْبٍ قَالَ: حَدَّثَنِي الزُّهْرِيُّ عَنْ سَالِمٍ عَنْ أَبِيهِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ جَمَعَ بَيْنَ الْمَغْرِبِ وَالْعِشَاءِ بِجُمْعٍ بِإِقَامَةٍ وَاحِدَةٍ لَمْ يُسَبِّحْ بَيْنَهُمَا وَلاَ عَلَى إِثْرِ كُلِّ وَاحِدَةٍ مِنْهُمَا.

3026- It is narrated on the authority of Ubaidullah Ibn Abdullah from his father (Ibn Umar) that he told him that The Messenger of Allah "Allah's blessing and peace be upon him" combined both Maghrib and Isha prayers (at Muzdalifah), and he offered no supererogatory prayer between them: he offered three rak'ahs for Maghrib, and two for Isha. Abdullah Ibn Umar used to combine both until he (died and) joined (the company of) Allah Almighty.

3027- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" combined both Maghrib and Isha prayers at Muzdalifah, with a single Iqamah.

3028- It is narrated on the authority of Kuraib, the freed slave of Ibn Abbas, that he said: I asked Usamah Ibn Zaid who was riding behind The Messenger of Allah "Allah's blessing and peace be upon him" in the evening of (the day of) Arafat: "How did you do?" he said: "We proceeded on until when we reached Muzdalifah, he dismounted and offered the Maghrib (prayer). He sent to the people (a message) that they should make their mounts kneel at their places, and they did not unpack (their luggage) until The Messenger of Allah "Allah's blessing and peace be upon him" led the Isha prayer, and after that the people unpacked (their luggage) and halted. In the morning, I went on foot along with some people from Quraish who preceded (to Mina) and Al-Fadl (Ibn Abbas) rode behind him."

[208] Sending Forward Both Women And Children To Their Halting Places At Muzdalifah

3029- It is narrated on the authority of Ibn Abbas that he said: I was one of those whom The Messenger of Allah "Allah's blessing and peace be upon him" sent forward among the weak of his family on the night of Muzdalifah.

3030- It is narrated on the authority of Ibn Abbas that he said: I was one of those whom The Messenger of Allah "Allah's blessing and peace be upon him" sent forward among the weak of his family on the night of Muzdalifah.

3031- It is narrated on the authority of Al-Fadl Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" ordered the weak among the offspring of Hashim to depart from Muzdalifah at night.

3032- It is narrated on the authority of Umm Habibah that The Messenger of Allah "Allah's blessing and peace be upon him" ordered her to leave Muzdalifah for Mina when it was still dark (at the last portion of the night).

3033- It is narrated on the authority of Umm Habibah that during the lifetime of The Messenger of Allah "Allah's blessing and peace be upon

3026 ـ أَخْبَرَنَا عِيسَى بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ عَنْ يُونُسَ عَنِ ٱبْنِ شِهَابٍ أَنَّ عُبَيْدَ ٱللَّهِ بْنَ عَبْدِ ٱللَّهِ أَخْبَرَهُ أَنَّ أَبَاهُ قَالَ: جَمَعَ رَسُولُ ٱللَّهِ ﷺ بَيْنَ الْمَغْرِبِ وَالْعِشَاءِ لَيْسَ بَيْنَهُمَا سَجْدَةٌ صَلَّى الْمَغْرِبَ ثَلاَثَ رَكَعَاتٍ وَالْعِشَاءَ رَكْعَتَيْنِ وَكَانَ عَبْدُ ٱللَّهِ بْنُ عُمَرَ يَجْمَعُ كَذَلِكَ حَتَّى لَحِقَ بِاللَّهِ عَزَّ وَجَلَّ.

3027 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ سَلَمَةَ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عُمَرَ قَالَ: صَلَّى رَسُولُ ٱللَّهِ ﷺ الْمَغْرِبَ وَالْعِشَاءِ بِجُمْعٍ بِإِقَامَةٍ وَاحِدَةٍ.

3028 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ إِبْرَاهِيمَ بْنِ عُقْبَةَ أَنَّ كُرَيْباً قَالَ: سَأَلْتُ أُسَامَةَ بْنَ زَيْدٍ وَكَانَ رِدْفُ رَسُولِ ٱللَّهِ ﷺ عَشِيَّةَ عَرَفَةَ فَقُلْتُ: كَيْفَ فَعَلْتُمْ؟ قَالَ: أَقْبَلْنَا نَسِيرُ حَتَّى بَلَغْنَا الْمُزْدَلِفَةَ فَأَنَاخَ فَصَلَّى الْمَغْرِبَ ثُمَّ بَعَثَ إِلَى الْقَوْمِ فَأَنَاخُوا فِي مَنَازِلِهِمْ فَلَمْ يَحُلُّوا حَتَّى صَلَّى رَسُولُ ٱللَّهِ ﷺ الْعِشَاءَ الآخِرَةَ ثُمَّ حَلَّ النَّاسُ فَنَزَلُوا فَلَمَّا أَصْبَحْنَا ٱنْطَلَقْتُ عَلَى رِجْلَيَّ فِي سُبَّاقِ قُرَيْشٍ وَرَدِفَهُ الْفَضْلُ.

(208) ـ تَقْدِيمُ النِّسَاءِ وَالصِّبْيَانِ إِلَى مَنَازِلِهِمْ بِمُزْدَلِفَةَ

3029 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ حُرَيْثٍ قَالَ: أَنْبَأَنَا سُفْيَانُ عَنْ عُبَيْدِ ٱللَّهِ بْنِ أَبِي يَزِيدَ قَالَ: سَمِعْتُ ابْنَ عَبَّاسٍ يَقُولُ: أَنَا مِمَّنْ قَدَّمَ النَّبِيُّ ﷺ لَيْلَةَ الْمُزْدَلِفَةِ فِي ضَعَفَةِ أَهْلِهِ.

3030 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: كُنْتُ فِيمَنْ قَدَّمَ النَّبِيُّ ﷺ لَيْلَةَ الْمُزْدَلِفَةِ فِي ضَعَفَةِ أَهْلِهِ.

3031 ـ أَخْبَرَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا أَبُو عَاصِمٍ وَعَفَّانُ وَسُلَيْمَانُ عَنْ شُعْبَةَ عَنْ مُشَاشٍ عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ عَنِ الْفَضْلِ: أَنَّ النَّبِيَّ ﷺ أَمَرَ ضَعَفَةَ بَنِي هَاشِمٍ أَنْ يَنْفِرُوا مِنْ جُمْعٍ بِلَيْلٍ.

3032 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: حَدَّثَنَا عَطَاءٌ عَنْ سَالِمِ بْنِ شَوَّالٍ أَنَّ أُمَّ حَبِيبَةَ أَخْبَرَتْهُ: أَنَّ النَّبِيَّ ﷺ أَمَرَهَا أَنْ تُغَلِّسَ مِنْ جَمْعٍ إِلَى مِنًى.

3033 ـ أَخْبَرَنَا عَبْدُ الْجَبَّارِ بْنُ الْعَلاَءِ عَنْ سُفْيَانَ عَنْ عَمْرٍو عَنْ سَالِمِ بْنِ شَوَّالٍ عَنْ أُمِّ حَبِيبَةَ قَالَتْ: كُنَّا نُغَلِّسُ عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ مِنَ

him" we used to leave Muzdalifah for Mina when it was still dark (at the last portion of the night).

[209] The Concession For Women To Pass On From Muzdalifah Before Morning

3034- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" gave permission to Sawdah to leave Muzdalifah for Mina before morning only because she was a heavy fat woman (who could hardly move).

[210] The Due Time Of Offering Morning Prayer At Muzdalifah

3035- It is narrated on the authority of Abdullah that he said: I've never seen The Messenger of Allah "Allah's blessing and peace be upon him" offering prayer but at its fixed stated time, except both Maghrib and Isha prayers at Muzdalifah (which he combined together), and the Dawn prayer (on the same night) which he offered a short while earlier than its due time.

[211] When One Does Not Catch Up Morning Prayer With The Imam At Muzdalifah

3036- It is narrated on the authority of Urwah Ibn Mudarris that he said: I saw The Messenger of Allah "Allah's blessing and peace be upon him" standing at Muzdalifah, and he said: "He, who offers with us this prayer of ours (i.e. the Morning prayer), and he has already stood at Arafah, no matter at night or during the day, his Hajj is complete."

3037- It is narrated on the authority of Urwah Ibn Mudarris that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who catches up (the stay at) Muzdalifah (and offers the prayer) with the imam and (remains) with the people until they pass on to Mina, his Hajj is perfect; and he, who does not catch up (the prayer) with the imam and (does not remain) with the people, his Hajj is imperfect."

3038- It is narrated on the authority of Urwah Ibn Mudarris that he said: I came to the Messenger of Allah "Allah's blessing and peace be upon him" at Muzdalifah (just when he came out for prayer). I said to him: "O Messenger of Allah! I've come from the mountains of Tai, (so much quickly) that I've left no elevated tract of sand but I stood upon it. So, would my Hajj be considered as valid?" upon this the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who attends this prayer of ours, and he has already stood at Arafah by day or at night, then, he has completed his Hajj, and fulfilled his holy ceremonies."

الْمُزْدَلِفَةِ إِلَى مِنًى.

(209) ـ الرُّخْصَةُ لِلنِّسَاءِ فِي الإِفَاضَةِ مِن جَمْعٍ قَبْلَ الصُّبْحِ

3034 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: أَنْبَأَنَا مَنْصُورٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ عَنِ الْقَاسِمِ عَنْ عَائِشَةَ قَالَتْ: إِنَّمَا أَذِنَ النَّبِيَّ ﷺ لِسَوْدَةَ فِي الإِفَاضَةِ قَبْلَ الصُّبْحِ مِنْ جَمْعٍ لأَنَّهَا كَانَتِ امْرَأَةً ثَبْطَةً.

(210) ـ الوَقْتُ الذي يُصَلِّي فيه الصُّبْحَ بالمُزْدَلِفَةِ

3035 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاءِ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ عُمَارَةَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ عَنْ عَبْدِ ٱللَّهِ قَالَ: مَا رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ صَلَّى صَلاَةً قَطُّ إِلاَّ لِمِيقَاتِهَا إِلاَّ صَلاَةَ الْمَغْرِبِ وَالْعِشَاءِ صَلاَّهُمَا بِجَمْعٍ وَصَلاَةَ الْفَجْرِ يَوْمَئِذٍ قَبْلَ مِيقَاتِهَا.

(211) ـ فيمنْ لم يُدْرِكْ صَلاةَ الصُّبْحِ مع الإمَامِ بالمُزْدَلِفَةِ

3036 ـ أَخْبَرَنَا سَعِيدُ بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ إِسْمَاعِيلَ وَدَاوُدَ وَزَكَرِيَّا عَنِ الشَّعْبِيِّ عَنْ عُرْوَةَ بْنِ مُضَرِّسٍ قَالَ: رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ وَاقِفاً بِالْمُزْدَلِفَةِ فَقَالَ: **«مَنْ صَلَّى مَعَنَا صَلاَتَنَا هٰذِهِ هٰهُنَا ثُمَّ أَقَامَ مَعَنَا وَقَدْ وَقَفَ قَبْلَ ذٰلِكَ بِعَرَفَةَ لَيْلاً أَوْ نَهَاراً فَقَدْ تَمَّ حَجُّهُ»**.

3037 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ قُدَامَةَ قَالَ: حَدَّثَنِي جَرِيرٌ عَنْ مُطَرِّفٍ عَنِ الشَّعْبِيِّ عَنْ عُرْوَةَ بْنِ مُضَرِّسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ أَدْرَكَ جَمْعاً مَعَ الإِمَامِ وَالنَّاسُ حَتَّى يُفِيضَ مِنْهَا فَقَدْ أَدْرَكَ الْحَجَّ وَمَنْ لَمْ يُدْرِكْ مَعَ النَّاسِ وَالإِمَامِ فَلَمْ يُدْرِكْ»**.

3038 ـ أَخْبَرَنَا عَلِيُّ بْنُ الْحُسَيْنِ قَالَ: حَدَّثَنَا أُمَيَّةُ عَنْ شُعْبَةَ عَنْ يَسَارٍ عَنِ الشَّعْبِيِّ عَنْ عُرْوَةَ بْنِ مُضَرِّسٍ قَالَ: أَتَيْتُ النَّبِيَّ ﷺ بِجَمْعٍ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ إِنِّي أَقْبَلْتُ مِنْ جَبَلَيْ طَيِّىءٍ لَمْ أَدَعْ جَبَلاً إِلاَّ وَقَفْتُ عَلَيْهِ فَهَلْ لِي مِنْ حَجٍّ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ صَلَّى هٰذِهِ الصَّلاَةَ مَعَنَا وَقَدْ وَقَفَ قَبْلَ ذٰلِكَ بِعَرَفَةَ لَيْلاً أَوْ نَهَاراً فَقَدْ تَمَّ حَجُّهُ وَقَضَى تَفَثَهُ»**.

3039- It is narrated on the authority of Urwah Ibn Mudarris that he said: I came to the Messenger of Allah "Allah's blessing and peace be upon him" in Muzdalifah (just when he came out for prayer). I said to him: "O Messenger of Allah! Would my Hajj be considered as valid?" upon this the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who attends this prayer of ours, keeps standing with us until we leave, and he has already stood at Arafah by day or at night, then, he has completed his Hajj, and fulfilled his holy ceremonies."

3040- It is narrated on the authority of Urwah Ibn Mudarris that he said: I came to the Messenger of Allah "Allah's blessing and peace be upon him" in Muzdalifah (just when he came out for prayer). I said to him: "O Messenger of Allah! I've come from the mountains of Tai, (so much quickly that) I troubled my mount and tired myself. I've left no elevated tract of sand but I stood upon it. So, would my Hajj be considered as valid?" upon this the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who attends this Morning prayer with us, and he has already stood at Arafah by day or at night, he has fulfilled his ceremonies and his Hajj is complete."

3041- It is narrated on the authority of Abd Ar-Rahman Ibn Ya'mur Ad-Daili: I was present with the Messenger of Allah "Allah's blessing and peace be upon him" while he was standing at Arafah, and some people from Najd came to him and told somebody from among them to ask him about Hajj, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "The (essential fundament of) Hajj is (to stand at) Arafah. Whoever could manage to reach (Arafah) even before the rise of the dawn of the night of Muzdalifah, no doubt, he has caught up his Hajj. Moreover, the days of Mina are three, But if any one hastens to leave in two days, there is no blame on him, and whoever stays more, there is no harm upon him." Then, he made somebody stand behind him and announce that publicly.

3042- It is narrated on the authority of Ja'far Ibn Muhammad that he said: My father told me: We went to Jabir Ibn Abdullah who told us that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The whole (area of) Muzdalifah is fitting for a place of standing."

[212] Reciting Talbiyah At Muzdalifah

3043- It is narrated on the authority of Ibn Mas'ud that he said: I heard the one, upon whom the Surah of Al-Baqarah was revealed (i.e. the Messenger of Allah) having recited here in that very place: "I'm responding to Your Call, O Allah, I'm responding to Your Call."

3039 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ شُعْبَةَ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي السَّفَرِ قَالَ: سَمِعْتُ الشَّعْبِيَّ يَقُولُ: حَدَّثَنِي عُرْوَةُ بْنُ مُضَرِّسِ بْنِ أَوْسِ بْنِ حَارِثَةَ بْنِ لأْمٍ قَالَ: أَتَيْتُ النَّبِيَّ ﷺ بِجُمْعٍ فَقُلْتُ: هَلْ لِي مِنْ حَجٍّ؟ فَقَالَ: مَنْ صَلَّى هٰذِهِ الصَّلاَةَ مَعَنَا وَوَقَفَ هٰذَا الْمَوْقِفَ حَتَّى يُفِيضَ وَأَفَاضَ قَبْلَ ذٰلِكَ مِنْ عَرَفَاتٍ لَيْلاً أَوْ نَهَاراً فَقَدْ تَمَّ حَجُّهُ وَقَضَى تَفَثَهُ.

3040 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى عَنْ إِسْمَاعِيلَ قَالَ: أَخْبَرَنِي عَامِرٌ قَالَ: أَخْبَرَنِي عُرْوَةُ بْنُ مُضَرِّسٍ الطَّائِيُّ قَالَ: أَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقُلْتُ: أَتَيْتُكَ مِنْ جَبَلَيْ طَيِّئٍ أَكْلَلْتُ مَطِيَّتِي وَأَتْعَبْتُ نَفْسِي مَا بَقِيَ مِنْ جَبَلٍ إِلاَّ وَقَفْتُ عَلَيْهِ فَهَلْ لِي مِنْ حَجٍّ؟ فَقَالَ: «**مَنْ صَلَّى صَلاَةَ الْغَدَاةِ هٰهُنَا مَعَنَا وَقَدْ أَتَى عَرَفَةَ قَبْلَ ذٰلِكَ فَقَدْ قَضَى تَفَثَهُ وَتَمَّ حَجُّهُ**».

3041 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي بُكَيْرُ بْنُ عَطَاءٍ قَالَ: سَمِعْتُ عَبْدَ الرَّحْمٰنِ بْنَ يَعْمُرَ الدِّيلِيَّ قَالَ: شَهِدْتُ النَّبِيَّ ﷺ بِعَرَفَةَ وَأَتَاهُ نَاسٌ مِنْ نَجْدٍ فَأَمَرُوا رَجُلاً فَسَأَلَهُ عَنِ الْحَجِّ فَقَالَ: «**الْحَجُّ عَرَفَةُ مَنْ جَاءَ لَيْلَةَ جُمْعٍ قَبْلَ صَلاَةِ الصُّبْحِ فَقَدْ أَدْرَكَ حَجَّهُ أَيَّامُ مِنًى ثَلاَثَةُ أَيَّامٍ مَنْ تَعَجَّلَ فِي يَوْمَيْنِ فَلاَ إِثْمَ عَلَيْهِ وَمَنْ تَأَخَّرَ فَلاَ إِثْمَ عَلَيْهِ**» ثُمَّ أَرْدَفَ رَجُلاً فَجَعَلَ يُنَادِي بِهَا فِي النَّاسِ.

3042 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: أَتَيْنَا جَابِرَ بْنَ عَبْدِ ٱللَّهِ فَحَدَّثَنَا: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**الْمُزْدَلِفَةُ كُلُّهَا مَوْقِفٌ**».

(212) ـ التَّلْبِيَةُ بِالْمُزْدَلِفَةِ

3043 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ فِي حَدِيثِهِ عَنْ أَبِي الأَحْوَصِ عَنْ حُصَيْنٍ عَنْ كَثِيرٍ وَهُوَ ٱبْنُ مُدْرِكٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ قَالَ: قَالَ ٱبْنُ مَسْعُودٍ وَنَحْنُ بِجَمْعٍ سَمِعْتُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ يَقُولُ فِي هٰذَا الْمَكَانِ: «**لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ**».

[213] The Due Time Of Passing On From Muzdalifah

3044- It is narrated on the authority of Amr Ibn Maimun that he said: I was present with Umar at Muzdalifah when he said: "The people of the pre-Islamic period of ignorance used not to pass on from Muzdalifah until the sun rose, and they said: "Rise O (mount of) Thabir!" then, the Messenger of Allah "Allah's blessing and peace be upon him" opposed them and passed on before the sun rose."

[214] The Concession For The Weak To Offer Morning Prayer At Mina On The Day Of Sacrifice

3045- It is narrated on the authority of Ibn Abbas that he said: the Messenger of Allah "Allah's blessing and peace be upon him" sent me forward among the weak people of his family (at night to Mina), whereupon we offered Morning prayer at Mina, and threw the Jamrah.

3046- It is narrated on the authority of A'ishah, the Mother of the Believers, that she said: Would that I sought the permission of the Messenger of Allah "Allah's blessing and peace be upon him" as Sawdah did, to offer Dawn prayer at Mina before the people came! However, Sawdah was a heavy and fat woman (who could hardly move). For this reason, she sought the permission of the Messenger of Allah "Allah's blessing and peace be upon him", and he gave her permission, which enabled her to offer Fajr prayer at Mina, and throw Jamrah before the people came.

3047- It is narrated on the authority of Ata' Ibn Abu Rabah from a freed slave belonging to Asma' Bint Abu Bakr that he said: I reached Mina with Asma' Bint Abu Bakr a short while before dawn, when it was still very dark, thereupon I said to her: "We've reached Mina a short while before dawn, when it is still very dark." On that she said: "We did so when we were in the company of such as better than you (the Messenger of Allah)."

3048- It is narrated on the authority of Hisham Ibn Urwah from his father that he said: Usamah Ibn Zaid was asked: "How did the Messenger of Allah "Allah's blessing and peace be upon him" move on his way of return from Arafah?" he said: " the Messenger of Allah "Allah's blessing and peace be upon him" made his she-camel walk at a normal stride, and whenever he found a space, he would make it walk at a quick pace."

3049- It is narrated on the authority of Ibn Abbas from Al-Fadl Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" said to the people when they started marching in the evening of (the day of) Arafat, till the morning of (the day they reached) Muzdalifah: "be quiet (in proceeding)!" he himself drove his she-camel, (with more control as he was)

(213) ـ وَقْتُ الإِفَاضَةِ مِنْ جَمْعٍ

3044 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي إِسْحَاقَ عَنْ عَمْرِو بْنِ مَيْمُونٍ قَالَ: سَمِعْتُهُ يَقُولُ: شَهِدْتُ عُمَرَ بِجَمْعٍ فَقَالَ: إِنَّ أَهْلَ الجَاهِلِيَّةِ كَانُوا لاَ يُفِيضُونَ حَتَّى تَطْلُعَ الشَّمْسُ وَيَقُولُونَ: أَشْرِقْ ثَبِيرُ وَإِنَّ رَسُولَ ٱللَّهِ ﷺ خَالَفَهُمْ ثُمَّ أَفَاضَ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ.

(214) ـ الرُّخْصَةُ لِلضَّعَفَةِ أَنْ يُصَلُّوا يَوْمَ النَّحْرِ الصُّبْحَ بِمِنًى

3045 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ عَنْ أَشْهَبَ أَنَّ دَاوُدَ بْنَ عَبْدِ الرَّحْمٰنِ حَدَّثَهُمْ أَنَّ عَمْرَو بْنَ دِينَارٍ حَدَّثَهُ أَنَّ عَطَاءَ بْنَ أَبِي رَبَاحٍ حَدَّثَهُمْ أَنَّهُ سَمِعَ ٱبْنَ عَبَّاسٍ يَقُولُ: أَرْسَلَنِي رَسُولُ ٱللَّهِ ﷺ فِي ضَعَفَةِ أَهْلِهِ فَصَلَّيْنَا الصُّبْحَ بِمِنًى وَرَمَيْنَا الْجَمْرَةَ.

3046 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ آدَمَ بْنِ سُلَيْمَانَ قَالَ: حَدَّثَنَا عَبْدُ الرَّحِيمِ بْنُ سُلَيْمَانَ عَنْ عُبَيْدِ ٱللَّهِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ عَنْ أَبِيهِ عَنْ أُمِّ الْمُؤْمِنِينَ عَائِشَةَ قَالَتْ: وَدِدْتُ أَنِّي ٱسْتَأْذَنْتُ رَسُولَ ٱللَّهِ ﷺ كَمَا ٱسْتَأْذَنَتْهُ سَوْدَةُ فَصَلَّيْتُ الْفَجْرَ بِمِنًى قَبْلَ أَنْ يَأْتِيَ النَّاسُ وَكَانَتْ سَوْدَةُ ٱمْرَأَةً ثَقِيلَةً ثَبِطَةً فَٱسْتَأْذَنَتْ رَسُولَ ٱللَّهِ ﷺ فَأَذِنَ لَهَا فَصَلَّتِ الْفَجْرَ بِمِنًى وَرَمَتْ قَبْلَ أَنْ يَأْتِيَ النَّاسُ.

3047 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: أَنْبَأَنَا ٱبْنُ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ أَنَّ مَوْلًى لأَسْمَاءَ بِنْتِ أَبِي بَكْرٍ أَخْبَرَهُ قَالَ: جِئْتُ مَعَ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ مِنًى بِغَلَسٍ فَقُلْتُ لَهَا: لَقَدْ جِئْنَا مِنًى بِغَلَسٍ فَقَالَتْ: قَدْ كُنَّا نَصْنَعُ هٰذَا مَعَ مَنْ هُوَ خَيْرٌ مِنْكَ.

3048 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ قَالَ: سُئِلَ أُسَامَةُ بْنُ زَيْدٍ وَأَنَا جَالِسٌ مَعَهُ كَيْفَ كَانَ رَسُولُ ٱللَّهِ ﷺ يَسِيرُ فِي حَجَّةِ الْوَدَاعِ حِينَ دَفَعَ؟ قَالَ: كَانَ يُسَيِّرُ نَاقَتَهُ فَإِذَا وَجَدَ فَجْوَةً نَصَّ.

3049 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنِ ٱبْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي أَبُو الزُّبَيْرِ عَنْ أَبِي مَعْبَدٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عَبَّاسٍ عَنِ الْفَضْلِ بْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ لِلنَّاسِ حِينَ دَفَعُوا عَشِيَّةَ عَرَفَةَ وَغَدَاةَ جَمْعٍ: «**عَلَيْكُمْ بِالسَّكِينَةِ**». وَهُوَ

preventing it from running. When He entered Mina, and descended at (the valley of) Muhassir, he said: "Pick up the pebbles with which the Jamrah should be stoned." The Messenger of Allah "Allah's blessing and peace be upon him" added, pointing with his hand: "As one throws with his fingers."

[215] Walking At A Galloping Stride At The Valley Of Muhassir

3050- It is narrated on the authority of Jabir that The Messenger of Allah "Allah's blessing and peace be upon him" made his camel run at a quick pace at the valley of Muhassir.

3051- It is narrated on the authority of Ja'far Ibn Muhammad from his father that he said: We visited Jabir and I said to him: "Tel me about the Hajj of The Messenger of Allah "Allah's blessing and peace be upon him"." he said: " The Messenger of Allah "Allah's blessing and peace be upon him" passed on quickly from Muzdalifah before the sun rose, and made Al-Fadl Ibn Al-Abbas ride behind him till he came to (the valley of) Muhassir. He (The Prophet) urged it (al-Qaswa) a little. Taking his way through the middle road, which comes out at the greatest Jamrah, he came to the Jamrah near the tree, which he threw with seven small pebbles, magnifying Allah with every throwing in a manner in which the small pebbles are thrown (with fingers) and he did so in the bottom of the valley."

[216] Reciting Talbiyah While Proceeding On

3052- It is narrated on the authority of Ibn Abbas from Al-Fadl Ibn Abbas that he was riding behind The Messenger of Allah "Allah's blessing and peace be upon him", who kept reciting Talbiyah until he threw the Jamrah.

3053- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" kept reciting Talbiyah until he threw the Jamrah.

[217] Picking Up Pebbles

3054- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me in the morning of (the day of throwing the Jamrah of) Aqabah: "Pick up pebbles for me." I picked up for him pebbles, too small to be carried and thrown by fingers. When I placed them in his hand, he said: "It is with the like of those (pebbles that you should throw the Jamrah); and beware of exceeding the proper bounds in religion, for indeed, it was exceeding the proper bounds in religion which destroyed those who were before you."

كَافٌّ نَاقَتَهُ حَتَّى إِذَا دَخَلَ مِنًى فَهَبَطَ حِينَ هَبَطَ مُحَسِّراً قَالَ: «**عَلَيْكُمْ بِحَصَى الْخَذْفِ الَّذِي يُرْمَى بِهِ الْجَمْرَةَ**» وَقَالَ: قَالَ النَّبِيُّ ﷺ يُشِيرُ بِيَدِهِ كَمَا يَخْذِفُ الإِنْسَانُ.

(215) ـ الإِيضَاعُ فِي وَادِي مُحَسِّرٍ

3050 ـ أَخْبَرَنَا إِبْرَاهِيمُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ سُفْيَانَ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ: أَنَّ النَّبِيَّ ﷺ أَوْضَعَ فِي وَادِي مُحَسِّرٍ.

3051 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ هَارُونَ قَالَ: حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدٍ عَنْ أَبِيهِ قَالَ: دَخَلْنَا عَلَى جَابِرِ بْنِ عَبْدِ ٱللَّهِ فَقُلْتُ: أَخْبِرْنِي عَنْ حَجَّةِ النَّبِيِّ ﷺ فَقَالَ: إِنَّ رَسُولَ ٱللَّهِ ﷺ دَفَعَ مِنَ الْمُزْدَلِفَةِ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ وَأَرْدَفَ الْفَضْلَ بْنَ الْعَبَّاسِ حَتَّى أَتَى مُحَسِّراً حَرَّكَ قَلِيلاً ثُمَّ سَلَكَ الطَّرِيقَ الْوُسْطَى الَّتِي تُخْرِجُكَ عَلَى الْجَمْرَةِ الْكُبْرَى حَتَّى أَتَى الْجَمْرَةَ الَّتِي عِنْدَ الشَّجَرَةِ فَرَمَى بِسَبْعِ حَصَيَاتٍ يُكَبِّرُ مَعَ كُلِّ حَصَاةٍ مِنْهَا حَصَى الْخَذْفِ رَمَى مِنْ بَطْنِ الْوَادِي.

(216) ـ التَّلْبِيَةُ فِي السَّيْرِ

3052 ـ أَخْبَرَنَا حُمَيْدُ بْنُ مُسْعَدَةَ عَنْ سُفْيَانَ وَهُوَ ٱبْنُ حَبِيبٍ عَنْ عَبْدِ الْمَلِكِ بْنِ جُرَيْجٍ وَعَبْدِ الْمَلِكِ بْنِ أَبِي سُلَيْمَانَ عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ عَنِ الْفَضْلِ بْنِ عَبَّاسٍ: أَنَّهُ كَانَ رَدِيفَ النَّبِيِّ ﷺ فَلَمْ يَزَلْ يُلَبِّي حَتَّى رَمَى الْجَمْرَةَ.

3053 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ عَنْ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ بْنُ حَبِيبٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ لَبَّى حَتَّى رَمَى الْجَمْرَةَ.

(217) ـ الْتِقَاطُ الحَصَى

3054 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ الدَّوْرَقِيُّ قَالَ: حَدَّثَنَا ٱبْنُ عُلَيَّةَ قَالَ: حَدَّثَنَا عَوْفٌ قَالَ: حَدَّثَنَا زِيَادُ بْنُ حُصَيْنٍ عَنْ أَبِي الْعَالِيَةِ قَالَ: قَالَ ٱبْنُ عَبَّاسٍ: قَالَ لِي رَسُولُ ٱللَّهِ ﷺ غَدَاةَ الْعَقَبَةِ وَهُوَ عَلَى رَاحِلَتِهِ: «**هَاتِ الْقُطْ لِي**» فَلَقَطْتُ لَهُ حَصَيَاتٍ هُنَّ حَصَى الْخَذْفِ فَلَمَّا وَضَعْتُهُنَّ فِي يَدِهِ قَالَ: «**بِأَمْثَالِ هٰؤُلَاءِ وَإِيَّاكُمْ وَالْغُلُوَّ فِي الدِّينِ فَإِنَّمَا أَهْلَكَ مَنْ كَانَ قَبْلَكُمُ الْغُلُوُّ فِي الدِّينِ**».

[218] From Where Should Pebbles Be Picked Up?

3055- It is narrated on the authority of Ibn Abbas from Al-Fadl Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" said to the people when they started marching in the evening of (the day of) Arafat, till the morning of (the day they reached) Muzdalifah: "be quiet (in proceeding)!" he himself drove his she-camel, (with more control as he was) preventing it from running. When He entered Mina, and descended at (the valley of) Muhassir, he said: "Pick up the pebbles with which the Jamrah should be stoned." The Messenger of Allah "Allah's blessing and peace be upon him" added, pointing with his hand: "As one throws with his fingers."

[219] What Size Are The Pebbles Of Throwing Jamrah?

3056- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me in the morning of (the day of throwing the Jamrah of) Aqabah while he was on his riding mount: "Pick up pebbles for me." I picked up for him pebbles, too small to be carried and thrown by fingers. When I placed them in his hand, he checked them while being in his hand, (Yahya described how he was moving them in his hand) and he said: "It is with the like of those (pebbles that you should throw the Jamrah)."

[220] A Muhrim Rides To The Jimar, And Takes Shelter To Shade

3057- It is narrated on the authority of Umm Husain that she said: I performed Hajj in (the same year of the farewell) Hajj of The Messenger of Allah "Allah's blessing and peace be upon him", and I saw Bilal holding the nose-string of his (the Prophet's) riding mount, and Usamah Ibn Zaid was raising his garment to shade him from the heat (of the sun), while he was in the state of Ihram until he threw the Jamrah of Aqabah. Then, he delivered a sermon, in which he praised Allah and lauded Him, and mentioned a lot of statements (concerning religion).

3058- It is narrated on the authority of Qudamah Ibn Abdullah that he said: I saw The Messenger of Allah "Allah's blessing and peace be upon him" throwing the Jamrah of Aqabah while being on a blond red she-camel, which he did not beat nor did he drive away by force (as is widespread now among the chiefs and rulers).

3059- It is narrated on the authority of Jabir Ibn Abdullah that he said: I saw The Messenger of Allah "Allah's blessing and peace be upon him" throwing Jamrah while being on his camel, and he was saying: "O people! Take (and learn your ceremonies of Hajj from me) for I do not know, whether I would or would not perform Hajj once again after this year of mine."

(218) ـ مِنْ أَيْنَ يَلْتَقِطُ الحَصَى

3055 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنِ ٱبْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي أَبُو الزُّبَيْرِ عَنْ أَبِي مَعْبَدٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عَبَّاسٍ عَنِ الْفَضْلِ بْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ لِلنَّاسِ حِينَ دَفَعُوا عَشِيَّةَ عَرَفَةَ وَغَدَاةَ جَمْعٍ **«عَلَيْكُمْ بِالسَّكِينَةِ»** وَهُوَ كَافٌّ نَاقَتَهُ حَتَّى إِذَا دَخَلَ مِنًى فَهَبَطَ حِينَ هَبَطَ مُحَسِّراً قَالَ: **«عَلَيْكُمْ بِحَصَى الْخَذْفِ الَّذِي تُرْمَى بِهِ الْجَمْرَةُ»** قَالَ: وَالنَّبِيُّ ﷺ يُشِيرُ بِيَدِهِ كَمَا يَخْذِفُ الإِنْسَانُ.

(219) ـ قَدْرُ حَصَى الرَّمْيِ

3056 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا عَوْفٌ قَالَ: حَدَّثَنَا زِيَادُ بْنُ حُصَيْنٍ عَنْ أَبِي الْعَالِيَةِ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ غَدَاةَ الْعَقَبَةِ وَهُوَ وَاقِفٌ عَلَى رَاحِلَتِهِ **«هَاتِ ٱلْقُطْ»** لِي فَلَقَطْتُ لَهُ حَصَيَاتٍ هُنَّ حَصَى الْخَذْفِ فَوَضَعْتُهُنَّ فِي يَدِهِ وَجَعَلَ يَقُولُ بِهِنَّ فِي يَدِهِ وَوَصَفَ يَحْيَى تَحْرِيكَهُنَّ فِي يَدِهِ بِأَمْثَالِ هٰؤُلاَءِ.

(220) ـ الرُّكُوبُ إِلَى الجِمَارِ واسْتِظْلالُ المُحْرِمِ

3057 ـ أَخْبَرَنِي عَمْرُو بْنُ هِشَامٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ عَنْ أَبِي عَبْدِ الرَّحِيمِ عَنْ زَيْدِ بْنِ أَبِي أُنَيْسَةَ عَنْ يَحْيَى بْنِ الْحُصَيْنِ عَنْ جَدَّتِهِ أُمِّ حُصَيْنٍ قَالَتْ: حَجَجْتُ فِي حَجَّةِ النَّبِيِّ ﷺ فَرَأَيْتُ بِلاَلاً يَقُودُ بِخِطَامِ رَاحِلَتِهِ وَأُسَامَةَ بْنَ زَيْدٍ رَافِعٌ عَلَيْهِ ثَوْبَهُ يَظِلُّهُ مِنَ الْحَرِّ وَهُوَ مُحْرِمٌ حَتَّى رَمَى جَمْرَةَ الْعَقَبَةِ ثُمَّ خَطَبَ النَّاسَ فَحَمِدَ ٱللَّهَ وَأَثْنَى عَلَيْهِ وَذَكَرَ قَوْلاً كَثِيراً.

3058 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا وَكِيعٌ قَالَ: حَدَّثَنَا أَيْمَنُ بْنُ نَابِلٍ عَنْ قُدَامَةَ بْنِ عَبْدِ ٱللَّهِ قَالَ: رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَرْمِي جَمْرَةَ الْعَقَبَةِ يَوْمَ النَّحْرِ عَلَى نَاقَةٍ لَهُ صَهْبَاءَ لاَ ضَرْبَ وَلاَ طَرْدَ وَلاَ إِلَيْكَ إِلَيْكَ.

3059 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: أَنْبَأَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي أَبُو الزُّبَيْرِ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَرْمِي الْجَمْرَةَ وَهُوَ عَلَى بَعِيرِهِ وَهُوَ يَقُولُ: **«يَا أَيُّهَا النَّاسُ خُذُوا مَنَاسِكَكُمْ فَإِنِّي لاَ أَدْرِي لَعَلِّي لاَ أَحُجُّ بَعْدَ عَامِي هٰذَا»**.

[221] The Due Time Of Throwing The Jamrah Of Aqabah On The Day Of Sacrifice

3060- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" threw the Jamrah (of Aqabah) on the day of Sacrifice at noon; and he threw (the remaining two Jamrahs) after the day of Sacrifice when the sun declined.

[222] It Is Forbidden To Throw The Jamrah Of Aqabah Before The Rising Of The Sun

3061- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent us, the boys of Banu Abd Al-Muttalib on some asses, and he said to us while patting our thighs: "O my sons! Do not throw the Jamrah of Aqabah until the sun rises."

3062- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" sent forward (the weak among) his family and ordered them not to throw the Jamrah (of Aqabah) until the sun would rise.

[223] The Concession Pertaining To That For Women

3063- It is narrated on the authority of Ata' from A'ishah Bint Talhah from her maternal aunt A'ishah, the Mother of the Believers, that The Messenger of Allah "Allah's blessing and peace be upon him" ordered one of his wives to leave Muzdalifah at night on the night of Muzdalifah, and come to (the place of) the Jamrah of Aqabah, and throw it and then spend the remaining portion of the night till morning in her dwelling place; and Ata' himself used to do so until he died.

[224] Throwing After The Evening

3064- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was asked during the days of Mina (about doing ceremonies in different orders) and he said: "There is no blame." A man asked him: "I've got my head shaved before I slaughtered (my sacrifice)." He said to him: "There is no harm." Another asked him: "I've thrown (the Jamrah) after evening had entered upon me." He said: "There is no harm."

[225] The Shepherds' Throwing

3065- It is narrated on the authority of Abu Al-Baddah Ibn Adi from his father that the Messenger of Allah "Allah's blessing and peace be upon him" gave concession to the shepherds (of camels among the people who spend

(221) ـ وَقْتُ رَمْيِ جَمْرَةِ العَقَبَةِ يَوْمَ النَّحْرِ

3060 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ يَحْيَى بْنِ أَيُّوبَ بْنِ إِبْرَاهِيمَ الثَّقَفِيُّ الْمَرْوَزِيُّ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ بْنُ إِدْرِيسَ عَنِ ٱبْنِ جُرَيْجٍ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: رَمَى رَسُولُ ٱللَّهِ ﷺ الْجَمْرَةَ يَوْمَ النَّحْرِ ضُحًى وَرَمَى بَعْدَ يَوْمِ النَّحْرِ إِذَا زَالَتِ الشَّمْسُ.

(222) ـ النَّهْيُ عن رَمْيِ جَمْرَةِ العَقَبَةِ قبل طُلُوعِ الشَّمْسِ

3061 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ الْمُقْرِىءُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ سُفْيَانَ الثَّوْرِيِّ عَنْ سَلَمَةَ بْنِ كُهَيْلٍ عَنِ الْحَسَنِ الْعُرَنِيِّ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: بَعَثَنَا رَسُولُ ٱللَّهِ ﷺ أُغَيْلَمَةَ بَنِي عَبْدِ الْمُطَّلِبِ عَلَى حُمُرَاتٍ يَلْطَحُ أَفْخَاذَنَا وَيَقُولُ: **«أُبَيْنِيَّ لاَ تَرْمُوا جَمْرَةَ الْعَقَبَةِ حَتَّى تَطْلُعَ الشَّمْسُ»**.

3062 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا بِشْرُ بْنُ السَّرِيِّ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ حَبِيبٍ عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ النَّبِيَّ ﷺ قَدَّمَ أَهْلَهُ وَأَمَرَهُمْ أَنْ لاَ يَرْمُوا الْجَمْرَةَ حَتَّى تَطْلُعَ الشَّمْسُ.

(223) ـ الرُّخْصَةُ في ذلك للنِّسَاءِ

3063 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الأَعْلَى بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ عَبْدِ الرَّحْمٰنِ الطَّائِفِيُّ عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ قَالَ: حَدَّثَتْنِي عَائِشَةُ بِنْتُ طَلْحَةَ عَنْ خَالَتِهَا عَائِشَةَ أُمِّ الْمُؤْمِنِينَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ أَمَرَ إِحْدَى نِسَائِهِ أَنْ تَنْفِرَ مِنْ جَمْعٍ لَيْلَةَ جَمْعٍ فَتَأْتِي جَمْرَةَ الْعَقَبَةِ فَتَرْمِيَهَا وَتُصْبِحَ فِي مَنْزِلِهَا وَكَانَ عَطَاءٌ يَفْعَلُهُ حَتَّى مَاتَ.

(224) ـ الرَّمْيُ بعد المَسَاءِ

3064 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: كَانَ رَسُولُ ٱللَّهِ ﷺ يُسْأَلُ أَيَّامَ مِنًى فَيَقُولُ: لاَ حَرَجَ فَسَأَلَهُ رَجُلٌ فَقَالَ: حَلَقْتُ قَبْلَ أَنْ أَذْبَحَ قَالَ: **«لاَ حَرَجَ»** فَقَالَ رَجُلٌ: رَمَيْتُ بَعْدَ مَا أَمْسَيْتُ قَالَ: **«لاَ حَرَجَ»**.

(225) ـ رَمْيُ الرُّعَاةِ

3065 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ حُرَيْثٍ وَمُحَمَّدُ بْنُ الْمُثَنَّى عَنْ سُفْيَانَ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي بَكْرٍ عَنْ أَبِيهِ عَنْ أَبِي الْبَدَّاحِ بْنِ عَدِيٍّ عَنْ أَبِيهِ: أَنَّ النَّبِيَّ ﷺ رَخَّصَ لِلرُّعَاةِ

the night at Mina) to throw (the pebbles of Jamrahs) on one day (the day of Sacrifice), and leave throwing on the coming day (provided that they should combine the throwing of the remaining two days after the day of Sacrifice on the day of Departure).

3066- It is narrated on the authority of Abu Al-Baddah Ibn Asim from his father that the Messenger of Allah "Allah's blessing and peace be upon him" gave concession to the shepherds of camels among the people who spend the night (at Mina) to throw (the pebbles of Jamrahs) on the day of Sacrifice, and then combine the throwing of the remaining two days after the day of Sacrifice, which they would throw on the day of Departure.

[226] From Where Should The Jamrah Of Aqabah Be Thrown?

3067- It is narrated on the authority of Abd Ar-Rahman Ibn Yazid that he said: It was said to Abdullah Ibn Mas'ud : "Some people throw the Jamrah from over Aqabah." Abdullah threw (the pebbles) from the bottom of the valley and then he said: "It is from here, by Him, other than Whom there is no god, that the one (the Messenger of Allah) upon whom the Surah of Al-Baqarah was revealed, threw (the Jamrah)."

3068- It is narrated on the authority of Abd Ar-Rahman Ibn Yazid that he said: Abdullah threw the Jamrah with seven pebbles: he made the House on his left, and (the mount of) Arafah on his right and said: "Here is the place where the one upon whom the Surah of Al-Baqarah was revealed stood (to throw the Jamrah)."

3069- It is narrated on the authority of Abd Ar-Rahman Ibn Yazid that he said: I saw Abdullah Ibn Mas'ud having thrown (the pebbles of) the Jamrah of Aqabah from the bottom of the valley and then he said: "Here is the place, by Him, other than Whom there is no god, where the one upon whom the Surah of Al-Baqarah was revealed, stood (and threw the Jamrah)."

3070- It is narrated on the authority of Al-A'mash that he said: I heard Al-Hajjaj Ibn Yusuf saying: "Do not say 'the Surah of Al-Baqarah', but you'd rather say: "the Surah in which the Heifer is mentioned." I (the narrator) met Ibrahim and told him of what he (Al-Hajjaj Ibn Yusuf) had said. He said: "Abd Ar-Rahman Ibn Yazid narrated to me that he was with Abdullah Ibn Mas'ud when he threw the Jamrah of Aqabah: he entered into the heart of the valley and faced it (the Jamrah, making Mecca on his left side, and Mina on his right side). Then, he stoned it from the heart of the valley, with seven pebbles, and he magnified Allah with every pebble. I (Abd Ar-Rahman) said to him: "They stone it (Jamrah) from the upper side (of the valley)." upon this he said: "By Him, other than Whom there is no god, this is the place

أَنْ يَرْمُوا يَوْماً وَيَدَعُوا يَوْماً . .

3066 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا مَالِكٌ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ أَبِي بَكْرٍ عَنْ أَبِيهِ عَنْ أَبِي الْبَدَّاحِ بْنِ عَاصِمِ بْنِ عَدِيٍّ عَنْ أَبِيهِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ رَخَّصَ لِلرُّعَاةِ فِي الْبَيْتُوتَةِ يَرْمُونَ يَوْمَ النَّحْرِ وَالْيَوْمَيْنِ اللَّذَيْنِ بَعْدَهُ يَجْمَعُونَهُمَا فِي أَحَدِهِمَا.

(226) ـ المَكانُ الذي تُرْمَى منه جَمْرَةُ العَقَبَةِ

3067 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ أَبِي مُحَيَّاة عَنْ سَلَمَةَ بْنِ كُهَيْلٍ عَنْ عَبْدِ الرَّحْمٰنِ يَعْنِي ٱبْنَ يَزِيدَ قَالَ: قِيلَ لِعَبْدِ ٱللَّهِ بْنِ مَسْعُودٍ إِنَّ نَاساً يَرْمُونَ الْجَمْرَةَ مِنْ فَوْقِ الْعَقَبَةِ قَالَ: فَرَمَى عَبْدُ ٱللَّهِ مِنْ بَطْنِ الْوَادِي ثُمَّ قَالَ: مِنْ هٰهُنَا وَالَّذِي لاَ إِلٰهَ غَيْرُهُ رَمَى الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ.

3068 ـ أَخْبَرَنَا الْحَسَنُ بْنُ مُحَمَّدٍ الزَّعْفَرَانِيُّ وَمَالِكُ بْنُ الْخَلِيلِ قَالاَ: حَدَّثَنَا ٱبْنُ أَبِي عَدِيٍّ عَنْ شُعْبَةَ عَنِ الْحَكَمِ وَمَنْصُورٌ عَنْ إِبْرَاهِيمَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ قَالَ: رَمَى عَبْدُ ٱللَّهِ الْجَمْرَةَ بِسَبْعِ حَصَيَاتٍ جَعَلَ الْبَيْتَ عَنْ يَسَارِهِ وَعَرَفَةَ عَنْ يَمِينِهِ وقَالَ هٰهُنَا مَقَامُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: مَا أَعْلَمُ أَحَداً قَالَ فِي هٰذَا الْحَدِيثِ مَنْصُورٌ غَيْرَ ٱبْنِ أَبِي عَدِيٍّ وَٱللَّهُ تَعَالَى أَعْلَمُ.

3069 ـ أَخْبَرَنَا مُجَاهِدُ بْنُ مُوسَى عَنْ هُشَيْمٍ عَنْ مُغِيرَةَ عَنْ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ يَزِيدَ قَالَ: رَأَيْتُ ٱبْنَ مَسْعُودٍ رَمَى جَمْرَةَ الْعَقَبَةِ مِنْ بَطْنِ الْوَادِي ثُمَّ قَالَ: هٰهُنَا وَالَّذِي لاَ إِلٰهَ غَيْرُهُ مَقَامُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ.

3070 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا ٱبْنُ أَبِي زَائِدَةَ قَالَ: حَدَّثَنَا الأَعْمَشُ سَمِعْتُ الْحَجَّاجَ يَقُولُ: لاَ تَقُولُوا سُورَةَ الْبَقَرَةِ قُولُوا السُّورَةُ الَّتِي يُذْكَرُ فِيهَا الْبَقَرَةُ فَذَكَرْتُ ذٰلِكَ لإِبْرَاهِيمَ فَقَالَ: أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ يَزِيدَ: أَنَّهُ كَانَ مَعَ عَبْدِ ٱللَّهِ حِينَ رَمَى جَمْرَةَ الْعَقَبَةِ فَاسْتَبْطَنَ الْوَادِي وَٱسْتَعْرَضَهَا يَعْنِي الْجَمْرَةَ فَرَمَاهَا بِسَبْعِ حَصَيَاتٍ وَكَبَّرَ مَعَ كُلِّ حَصَاةٍ فَقُلْتُ: إِنَّ أُنَاساً يَصْعَدُونَ الْجَبَلَ فَقَالَ: هٰهُنَا وَالَّذِي لاَ إِلٰهَ غَيْرُهُ

where I saw the one (i.e. The Prophet) upon whom the Surah of Al-Baqarah was revealed, having stoned (the Jamrah)."

3071- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" threw the Jamrah with pebbles too small to be carried and thrown by fingers.

3072- It is narrated on the authority of Jabir that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" having thrown the Jimar with pebbles too small to be carried and thrown by fingers.

[227] The Number Of Pebbles With Which Jamrahs Are Thrown

3073- It is narrated on the authority of Ja'far Ibn Muhammad Ibn Ali Ibn Husain from his father that he said: We visited Jabir Ibn Abdullah and I said to him: "Tell me about the Hajj of the Messenger of Allah "Allah's blessing and peace be upon him"." He said: " the Messenger of Allah "Allah's blessing and peace be upon him" threw the Jamrah which is near the tree with seven pebbles, magnifying Allah with every pebble, using pebbles, too small to be carried and thrown by fingers; and he threw them from the bottom of the valley. Then, he turned away to the slaughtering place where he slaughtered his sacrifice.

3074- It is narrated on the authority of Sa'd that he said: We returned from the Hajj we performed with the Messenger of Allah "Allah's blessing and peace be upon him", with one of us saying: "I've thrown (the Jamrah) with seven pebbles", and another saying: "I've thrown with six", and none of them criticized the other.

3075- It is narrated on the authority of Abu Mijlaz that he said: I asked Ibn Abbas about something pertaining to Jimar, thereupon he said: "I do not know (for certain) whether the Messenger of Allah "Allah's blessing and peace be upon him" threw it with six or seven pebbles."

[228] Saying Takbir With Every Pebble

3076- It is narrated on the authority of Al-Fadl Ibn Abbas that he said: I was riding behind the Messenger of Allah "Allah's blessing and peace be upon him" and he kept reciting Talbiyah until he threw the Jamrah of Aqabah which he threw with seven pebbles, saying Takbir with every pebble.

[229] Such As In The State Of Ihram Stops From Reciting Talbiyah Once He Throws The Jamrah Of Aqabah

3077- It is narrated on the authority of Al-Fadl Ibn Abbas that he said: I was riding behind the Messenger of Allah "Allah's blessing and peace be

رَأَيْتُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ رَمَى.

3071 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ آدَمَ عَنْ عَبْدِ الرَّحِيمِ عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ وَذَكَرَ آخَرَ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ: أَنَّ رَسُولَ اللَّهِ ﷺ رَمَى الْجَمْرَةَ بِمِثْلِ حَصَى الْخَذْفِ.

3072 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا يَحْيَى عَنِ ابْنِ جُرَيْجٍ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: رَأَيْتُ رَسُولَ اللَّهِ ﷺ يَرْمِي الْجِمَارَ بِمِثْلِ حَصَى الْخَذْفِ.

(227) ـ الحَصَى الَّتِي يُرْمَى بِهَا الجِمَارُ

3073 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ هَارُونَ قَالَ: حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدِ بْنِ عَلِيِّ بْنِ حُسَيْنٍ عَنْ أَبِيهِ قَالَ: دَخَلْنَا عَلَى جَابِرِ بْنِ عَبْدِ اللَّهِ فَقُلْتُ: أَخْبِرْنِي عَنْ حَجَّةِ النَّبِيِّ ﷺ فَقَالَ: إِنَّ رَسُولَ اللَّهِ ﷺ رَمَى الْجَمْرَةَ الَّتِي عِنْدَ الشَّجَرَةِ بِسَبْعِ حَصَيَاتٍ يُكَبِّرُ مَعَ كُلِّ حَصَاةٍ مِنْهَا حَصَى الْخَذْفِ رَمَى مِنْ بَطْنِ الْوَادِي ثُمَّ انْصَرَفَ إِلَى الْمَنْحَرِ فَنَحَرَ.

3074 ـ أَخْبَرَنِي يَحْيَى بْنُ مُوسَى الْبَلْخِيُّ قَالَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ ابْنِ أَبِي نُجَيْحٍ قَالَ: قَالَ مُجَاهِدٌ: قَالَ سَعْدٌ: رَجَعْنَا فِي الْحَجَّةِ مَعَ النَّبِيِّ ﷺ وَبَعْضُنَا يَقُولُ رَمَيْتُ بِسَبْعِ حَصَيَاتٍ وَبَعْضُنَا يَقُولُ رَمَيْتُ بِسِتٍّ فَلَمْ يَعِبْ بَعْضُهُمْ عَلَى بَعْضٍ.

3075 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ قَالَ: سَمِعْتُ أَبَا مِجْلَزٍ يَقُولُ: سَأَلْتُ ابْنَ عَبَّاسٍ عَنْ شَيْءٍ مِنْ أَمْرِ الْجِمَارِ فَقَالَ: مَا أَدْرِي رَمَاهَا رَسُولُ اللَّهِ ﷺ بِسِتٍّ أَوْ بِسَبْعٍ.

(228) ـ التَّكْبِيرُ مَعَ كُلِّ حَصَاةٍ

3076 ـ أَخْبَرَنِي هَارُونُ بْنُ إِسْحَاقَ الْهَمْدَانِي الْكُوفِيُّ قَالَ: حَدَّثَنَا حَفْصٌ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ عَلِيِّ بْنِ الْحُسَيْنِ عَنِ ابْنِ عَبَّاسٍ عَنْ أَخِيهِ الْفَضْلِ بْنِ عَبَّاسٍ قَالَ: كُنْتُ رِدْفَ النَّبِيِّ ﷺ فَلَمْ يَزَلْ يُلَبِّي حَتَّى رَمَى جَمْرَةَ الْعَقَبَةِ فَرَمَاهَا بِسَبْعِ حَصَيَاتٍ يُكَبِّرُ مَعَ كُلِّ حَصَاةٍ.

(229) ـ قَطْعُ المُحْرِمِ التَّلْبِيَةَ إِذَا رَمَى جَمْرَةَ العَقَبَةِ

3077 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ أَبِي الأَحْوَصِ عَنْ خُصَيْفٍ عَنْ مُجَاهِدٍ عَنِ ابْنِ عَبَّاسٍ قَالَ: قَالَ الْفَضْلُ بْنُ عَبَّاسٍ: كُنْتُ رِدْفَ رَسُولِ اللَّهِ ﷺ فَمَا زِلْتُ أَسْمَعُهُ

upon him" and I heard him reciting Talbiyah until he threw the Jamrah of Aqabah; and once he threw it, he stopped from reciting Talbiyah.

3078- It is narrated on the authority of Al-Fadl Ibn Abbas that he was riding behind the Messenger of Allah "Allah's blessing and peace be upon him" and he kept reciting Talbiyah until he threw the Jamrah (of Aqabah).

3079- It is narrated on the authority of Al-Fadl Ibn Abbas that he was riding behind the Messenger of Allah "Allah's blessing and peace be upon him" and he kept reciting Talbiyah until he threw the Jamrah of Aqabah.

[230] The Supplication After Throwing The Jimar

3080- It is narrated on the authority of Az-Zuhri that he said: We have been reported that The Messenger of Allah "Allah's blessing and peace be upon him" used to stone the Jamrah which is near the Mina mosque with seven small pebbles and used to magnify Allah after throwing every pebble. He then would go ahead and stand facing the Qiblah for a long time to invoke (Allah) while raising his hands. Then he would come to stone the middle Jamrah with seven small pebbles and magnify Allah after throwing every pebble. Then he would go to the left, towards the valley, and stand facing the Qiblah. He would remain standing there to invoke (Allah) while raising his hands. Then he would come to stone the great Jamrah of Aqabah with seven small pebbles even though he would not remain at it, and then he would leave. Az-Zuhri said that Salim Ibn Abdullah Ibn Umar had narrated to him the same from The Messenger of Allah "Allah's blessing and peace be upon him", and Ibn Umar used to do the same.

[231] What Becomes Lawful For A Muhrim After Throwing Jamrah

3081- It is narrated on the authority of Ibn Abbas that he said: "When one throws the Jamrah, everything becomes lawful for him, barring (the sexual relations with) women." It was said to him: "What about perfume?" he said: "As for me, I saw The Messenger of Allah "Allah's blessing and peace be upon him" having applied musk to his body: is it not (a kind of) perfume?"

يُلَبِّي حَتَّى رَمَى جَمْرَةَ الْعَقَبَةِ فَلَمَّا رَمَى قَطَعَ التَّلْبِيَةَ.

3078 ـ أَخْبَرَنَا هِلاَلُ بْنُ الْعَلاَءِ بْنِ هِلاَلٍ قَالَ: حَدَّثَنَا حُسَيْنٌ قَالَ: حَدَّثَنَا أَبُو خَيْثَمَةَ قَالَ: حَدَّثَنَا خُصَيْفٌ عَنْ مُجَاهِدٍ وَعَامِرٌ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ الْفَضْلَ أَخْبَرَهُ أَنَّهُ كَانَ رَدِيفَ رَسُولِ ٱللَّهِ ﷺ وَأَنَّهُ لَمْ يَزَلْ يُلَبِّي حَتَّى رَمَى الْجَمْرَةَ.

3079 ـ أَخْبَرَنَا أَبُو عَاصِمٍ خُشَيْشُ بْنُ أَصْرَمَ عَنْ عَلِيِّ بْنِ مَعْبَدٍ قَالَ: حَدَّثَنَا مُوسَى بْنُ أَعْيَنَ عَنْ عَبْدِ الْكَرِيمِ الْجَزَرِيِّ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ عَنِ الْفَضْلِ بْنِ الْعَبَّاسِ: أَنَّهُ كَانَ رَدِيفَ النَّبِيِّ ﷺ فَلَمْ يَزَلْ يُلَبِّي حَتَّى رَمَى جَمْرَةَ الْعَقَبَةِ.

(230) ـ الدُّعَاءُ بعد رَمْيِ الجِمَارِ

3080 ـ أَخْبَرَنَا الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ قَالَ: حَدَّثَنَا عُثْمَانُ بْنُ عُمَرَ قَالَ: أَنْبَأَنَا يُونُسُ عَنِ الزُّهْرِيِّ قَالَ: بَلَغَنَا أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ إِذَا رَمَى الْجَمْرَةَ الَّتِي تَلِي الْمَنْحَرَ مَنْحَرَ مِنًى رَمَاهَا بِسَبْعِ حَصَيَاتٍ يُكَبِّرُ كُلَّمَا رَمَى بِحَصَاةٍ ثُمَّ تَقَدَّمَ أَمَامَهَا فَوَقَفَ مُسْتَقْبِلَ الْقِبْلَةِ رَافِعاً يَدَيْهِ يَدْعُو يُطِيلُ الْوُقُوفَ ثُمَّ يَأْتِي الْجَمْرَةَ الثَّانِيَةَ فَيَرْمِيهَا بِسَبْعِ حَصَيَاتٍ يُكَبِّرُ كُلَّمَا رَمَى بِحَصَاةٍ ثُمَّ يَنْحَدِرُ ذَاتَ الشِّمَالِ فَيَقِفُ مُسْتَقْبِلَ الْبَيْتِ رَافِعاً يَدَيْهِ يَدْعُو ثُمَّ يَأْتِي الْجَمْرَةَ الَّتِي عِنْدَ الْعَقَبَةِ فَيَرْمِيهَا بِسَبْعِ حَصَيَاتٍ وَلاَ يَقِفُ عِنْدَهَا. قَالَ الزُّهْرِيُّ: سَمِعْتُ سَالِماً يُحَدِّثُ بِهٰذَا عَنْ أَبِيهِ عَنِ النَّبِيِّ ﷺ وَكَانَ ٱبْنُ عُمَرَ يَفْعَلُهُ.

(231) ـ بابُ ما يَحِلُّ للمُحْرِمِ بعد رَمْيِ الجِمَارِ

3081 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ سَلَمَةَ بْنِ كُهَيْلٍ عَنِ الْحَسَنِ الْعُرَنِيِّ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: إِذَا رَمَى الْجَمْرَةَ فَقَدْ حَلَّ لَهُ كُلُّ شَيْءٍ إِلاَّ النِّسَاءُ. قِيلَ: وَالطِّيبُ؟ قَالَ: أَمَّا أَنَا فَقَدْ رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَتَضَمَّخُ بِالْمِسْكِ أَفَطِيبٌ هُوَ؟ .

(25) THE BOOK OF JIHAD

[1] The Obligation Of Jihad

3082- It is narrated on the authority of Ibn Abbas that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" was driven out from Mecca Abu Bakr said: "Those (infidels) have driven out their Prophet: we all are to Allah, to Whom we refer. They will be destroyed." In connection with that, the following was revealed: " To those against whom war is made, permission is given (to fight), because they are wronged; and verily, Allah is Most Powerful for their aid." (Al-Hajj 39) I came to know that there would be fighting. Ibn Abbas added: This was the first to be revealed as regards fighting.

3083- It is narrated on the authority of Ibn Abbas that Abd Ar-Rahman Ibn Awf and some of his companions came to The Messenger of Allah "Allah's blessing and peace be upon him" in Mecca and said: "O Messenger of Allah! When we were pagans, we were living in power and honour, and when we embraced Islam, we have been put to humiliation (because we were given no permission to fight our enemies)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah) to adhere to forgiveness. So, do not fight." When we were turned by Allah to Medina, He Almighty ordered us to fight (such as would fight us), thereupon they held back (their hands from fight). On that Allah Almighty revealed: "Has you not turned your vision to those who were told to hold back their hands (from fight) but establish regular prayers and spend in regular Charity? When (at length) the order for fighting was issued to them, behold! a section of them feared men as - or even more than - they should have feared Allah." (An-Nisa 77)

3084- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been given the (power to say the) shortest expressions which bear the widest meanings; and I've been helped emerge victorious by terror (cast in the hearts of my enemies); and while I was sleeping, I was given the keys of the treasures of the land, and they were placed in my hand." Abu Hurairah commented: Indeed, The Messenger of Allah "Allah's blessing and peace be upon him" went away (by death), and you now are harvesting them.

3085- It is narrated on the authority of Abu Hurairah that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said the same.

(25) ـ كِتَابُ الجِهَادِ

(1) ـ بابُ وُجُوبِ الجِهَادِ

3082 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ مُحَمَّدِ بْنِ سَلاَّمٍ قَالَ: حَدَّثَنَا إِسْحَاقُ الأَزْرَقُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الأَعْمَشِ عَنْ مُسْلِمٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: لَمَّا أُخْرِجَ النَّبِيُّ ﷺ مِنْ مَكَّةَ قَالَ أَبُو بَكْرٍ: أَخْرَجُوا نَبِيَّهُمْ إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ لَيَهْلِكُنَّ فَنَزَلَتْ: ﴿أُذِنَ لِلَّذِينَ يُقَٰتَلُونَ بِأَنَّهُمْ ظُلِمُواْ وَإِنَّ ٱللَّهَ عَلَىٰ نَصْرِهِمْ لَقَدِيرٌ ﴿٣٩﴾﴾ [الحج: 39]. فَعَرَفْتُ أَنَّهُ سَيَكُونُ قِتَالٌ. قَالَ ٱبْنُ عَبَّاسٍ: فَهِيَ أَوَّلُ آيَةٍ نَزَلَتْ فِي الْقِتَالِ.

3083 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَلِيِّ بْنِ الْحَسَنِ بْنِ شَقِيقٍ قَالَ: أَنْبَأَنَا أَبِي قَالَ: أَنْبَأَنَا الْحُسَيْنُ بْنُ وَاقِدٍ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ عَبْدَ الرَّحْمٰنِ بْنَ عَوْفٍ وَأَصْحَاباً لَهُ أَتَوُا النَّبِيَّ ﷺ بِمَكَّةَ فَقَالُوا: يَا رَسُولَ ٱللَّهِ إِنَّا كُنَّا فِي عِزٍّ وَنَحْنُ مُشْرِكُونَ فَلَمَّا آمَنَّا صِرْنَا أَذِلَّةً فَقَالَ: «**إِنِّي أُمِرْتُ بِالْعَفْوِ فَلاَ تُقَاتِلُوا**». فَلَمَّا حَوَّلَنَا ٱللَّهُ إِلَى الْمَدِينَةِ أَمَرَنَا بِالْقِتَالِ فَكَفُّوا فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ: ﴿أَلَمْ تَرَ إِلَى ٱلَّذِينَ قِيلَ لَهُمْ كُفُّوٓاْ أَيْدِيَكُمْ وَأَقِيمُواْ ٱلصَّلَوٰةَ﴾ [النساء: 77].

3084 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا مُعْتَمِرٌ قَالَ: سَمِعْتُ مَعْمَراً عَنِ الزُّهْرِيِّ قَالَ: قُلْتُ عَنْ سَعِيدٍ قَالَ: نَعَمْ عَنْ أَبِي هُرَيْرَةَ ح. وَأَنْبَأَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لأَحْمَدَ قَالاَ: حَدَّثَنَا ٱبْنُ وَهْبٍ عَنْ يُونُسَ عَنِ ٱبْنِ شِهَابٍ عَنِ ٱبْنِ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**بُعِثْتُ بِجَوَامِعِ الْكَلِمِ، وَنُصِرْتُ بِالرُّعْبِ، وَبَيْنَا أَنَا نَائِمٌ أُتِيتُ بِمَفَاتِيحِ خَزَائِنِ الأَرْضِ فَوُضِعَتْ فِي يَدِي**». قَالَ أَبُو هُرَيْرَةَ: فَذَهَبَ رَسُولُ ٱللَّهِ ﷺ وَأَنْتُمْ تَنْتَثِلُونَهَا.

3085 ـ أَخْبَرَنَا هَارُونُ بْنُ سَعِيدٍ عَنْ خَالِدِ بْنِ نِزَارٍ قَالَ: أَخْبَرَنِي الْقَاسِمُ بْنُ مَبْرُورٍ عَنْ يُونُسَ عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ نَحْوَهُ.

3086- It is narrated on the authority of Abu Hurairah that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "I've been given the (power to say the) shortest expressions which bear the widest meanings; and I've been helped emerge victorious by terror (cast in the hearts of my enemies); and while I was sleeping, I was given the keys of the treasures of the land, and they were placed in my hand." Abu Hurairah commented: Indeed, The Messenger of Allah "Allah's blessing and peace be upon him" went away (by death), and you now are harvesting them.

3087- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah Almighty) to fight the people until they say that "there is no god (to be worshipped) but Allah": whoever says "There is no god (to be worshipped) but Allah" has protected his own property and soul from me except legally, and his reckoning is incumbent upon Allah."

3088- It is narrated on the authority of Abu Hurairah that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" died and Abu Bakr became the caliph some Arabs renegaded (reverted to disbelief, and Abu Bakr decided to declare war against them), Umar said: "O Abu Bakr! How can you fight with these people although The Messenger of Allah "Allah's blessing and peace be upon him" said: 'I have been ordered (by Allah) to fight the people till they say: "There is no god (to be worshipped) but Allah", and whoever says it has indeed saved his life and property from me except on trespassing the law (rights and conditions for which he will be punished justly), and his account will be with Allah'?" Abu Bakr said: "By Allah! I will fight those who differentiate between prayer and obligatory charity. By Allah! If they refuse to pay me even a she-kid which they used to pay at the time of The Messenger of Allah "Allah's blessing and peace be upon him", I would fight with them for withholding it." Umar said: "By Allah, it was nothing but I saw that Allah opened Abu Bakr's chest towards the decision to fight that I came to know that his decision was right."

3089- It is narrated on the authority of Abu Hurairah that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" died and Abu Bakr became the caliph after him, and some Arabs renegaded (reverted to disbelief, and Abu Bakr decided to declare war against them), Umar said: "O Abu Bakr! How can you fight with these people although The Messenger of Allah "Allah's blessing and peace be upon him" said: 'I have been ordered (by Allah) to fight the people till they say: "There is no god (to be worshipped) but Allah", and whoever says "There is no god (to be worshipped) but Allah" has indeed protected his own property and soul from

3086 ـ أَخْبَرَنَا كَثِيرُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ حَرْبٍ عَنِ الزُّبَيْدِيِّ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ وَأَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ أَنَّ أَبَا هُرَيْرَةَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«بُعِثْتُ بِجَوَامِعِ الْكَلِمِ، وَنُصِرْتُ بِالرُّعْبِ، وَبَيْنَا أَنَا نَائِمٌ أُتِيتُ بِمَفَاتِيحِ خَزَائِنِ الأَرْضِ فَوُضِعَتْ فِي يَدِي»**. فَقَالَ أَبُو هُرَيْرَةَ: فَقَدْ ذَهَبَ رَسُولُ ٱللَّهِ ﷺ وَأَنْتُمْ تَنْتَثِلُونَهَا.

3087 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ قَالَ: حَدَّثَنِي سَعِيدُ بْنُ الْمُسَيَّبِ أَنَّ أَبَا هُرَيْرَةَ أَخْبَرَهُ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لاَ إِلٰهَ إِلاَّ ٱللَّهُ فَمَنْ قَالَ لاَ إِلٰهَ إِلاَّ ٱللَّهُ عَصَمَ مِنِّي مَالَهُ وَنَفْسَهُ إِلاَّ بِحَقِّهِ وَحِسَابُهُ عَلَى ٱللَّهِ»**.

3088 ـ أَخْبَرَنَا كَثِيرُ بْنُ عُبَيْدٍ عَنْ مُحَمَّدِ بْنِ حَرْبٍ عَنِ الزُّبَيْدِيِّ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنْ أَبِي هُرَيْرَةَ قَالَ: لَمَّا تُوُفِّيَ رَسُولُ ٱللَّهِ ﷺ وَٱسْتُخْلِفَ أَبُو بَكْرٍ وَكَفَرَ مَنْ كَفَرَ مِنَ الْعَرَبِ قَالَ عُمَرُ: يَا أَبَا بَكْرٍ كَيْفَ تُقَاتِلُ النَّاسَ وَقَدْ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لا إِلٰهَ إِلاَّ ٱللَّهُ، فَمَنْ قَالَ لاَ إِلٰهَ إِلاَّ ٱللَّهُ عَصَمَ مِنِّي نَفْسَهُ وَمَالَهُ إِلاَّ بِحَقِّهِ، وَحِسَابُهُ عَلَى ٱللَّهِ»**؟ قَالَ أَبُو بَكْرٍ رَضِيَ ٱللَّهُ عَنْهُ: وَٱللَّهِ لأُقَاتِلَنَّ مَنْ فَرَّقَ بَيْنَ الصَّلاَةِ وَالزَّكَاةِ فَإِنَّ الزَّكَاةَ حَقُّ الْمَالِ وَٱللَّهِ لَوْ مَنَعُونِي عَنَاقاً كَانُوا يُؤَدُّونَهَا إِلَى رَسُولِ ٱللَّهِ ﷺ لَقَاتَلْتُهُمْ عَلَى مَنْعِهَا فَوَٱللَّهِ مَا هُوَ إِلاَّ أَنْ رَأَيْتُ ٱللَّهَ عَزَّ وَجَلَّ قَدْ شَرَحَ صَدْرَ أَبِي بَكْرٍ لِلْقِتَالِ وَعَرَفْتُ أَنَّهُ الْحَقُّ.

3089 ـ أَخْبَرَنَا أَحْمَدُ بْنُ مُحَمَّدِ بْنِ مُغِيرَةَ قَالَ: حَدَّثَنَا عُثْمَانُ بْنُ سَعِيدٍ عَنْ شُعَيْبٍ عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ ح. وَأَنْبَأَنَا كَثِيرُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا بَقِيَّةُ عَنْ شُعَيْبٍ قَالَ: حَدَّثَنِي الزُّهْرِيُّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ بْنِ مَسْعُودٍ أَنَّ أَبَا هُرَيْرَةَ قَالَ: لَمَّا تُوُفِّيَ رَسُولُ ٱللَّهِ ﷺ وَكَانَ أَبُو بَكْرٍ بَعْدَهُ وَكَفَرَ مَنْ كَفَرَ مِنَ الْعَرَبِ قَالَ عُمَرُ رَضِيَ ٱللَّهُ عَنْهُ: يَا أَبَا بَكْرٍ كَيْفَ تُقَاتِلُ النَّاسَ وَقَدْ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لاَ إِلٰهَ إِلاَّ ٱللَّهُ فَمَنْ قَالَ لاَ إِلٰهَ إِلاَّ ٱللَّهُ فَقَدْ عَصَمَ**

me except on trespassing the law (rights and conditions for which he will be punished justly), and his reckoning will be with Allah'?" Abu Bakr said: "I will fight those who differentiate between prayer and obligatory charity. By Allah! If they refuse to pay me even a she-kid which they used to pay at the time of The Messenger of Allah "Allah's blessing and peace be upon him", I would fight with them for withholding it." Umar said: "By Allah, it was nothing, but I saw that Allah Almighty expanded Abu Bakr's chest towards the decision to fight that I came to know that his decision was right."

3090- It is narrated on the authority of Abu Hurairah that he said: When Abu Bakr mobilized the forces to fight those (apostates) Umar said: "O Abu Bakr! How can you fight with these people although The Messenger of Allah "Allah's blessing and peace be upon him" said: 'I have been ordered (by Allah) to fight the people till they say: "There is no god but Allah", and once they say it they have protected their own souls and property from me except legally (on trespassing the law, rights and conditions for which they will be punished justly)'?" Abu Bakr said: "I will fight those who differentiate between prayer and obligatory charity. By Allah! If they refuse to pay me even a she-kid which they used to pay at the time of The Messenger of Allah "Allah's blessing and peace be upon him", I would fight with them for withholding it." Umar said: "By Allah, it was nothing, but I saw that Allah Almighty expanded Abu Bakr's chest towards the decision to fight those (apostates) that I came to know that his decision was right."

3091- It is narrated on the authority of Anas Ibn Malik that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" died and some Arabs renegaded (reverted to disbelief, and Abu Bakr decided to declare war against them), Umar said: "O Abu Bakr! How can you fight the Arabs?" Abu Bakr said: "The Messenger of Allah "Allah's blessing and peace be upon him" said: 'I have been ordered (by Allah) to fight the people till they bear testimony to the fact that There is no god (to be worshipped) but Allah, and that I'm the Messenger of Allah, establish the obligatory prayer and give the regular charity.' By Allah! If they refuse to pay me even a she-kid which they used to give at the time of The Messenger of Allah "Allah's blessing and peace be upon him", I would fight with them for it." Umar said: "When I saw that (the chest of) Abu Bakr was expanded to his decision, I came to know that his decision was right." Abu Abd Ar-Rahman says: This narration is incorrect, and the previous one transmitted on the authority of Abu Hurairah is correct.

3092- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've

مِنِّي مَالَهُ وَنَفْسَهُ إِلاَّ بِحَقِّهِ وَحِسَابُهُ عَلَى ٱللَّهِ»؟ قَالَ أَبُو بَكْرٍ رَضِيَ ٱللَّهُ عَنْهُ: لأُقَاتِلَنَّ مَنْ فَرَّقَ بَيْنَ الصَّلاَةِ وَالزَّكَاةِ فَإِنَّ الزَّكَاةَ حَقُّ الْمَالِ وَاللَّهِ لَوْ مَنَعُونِي عَنَاقاً كَانُوا يُؤَدُّونَهَا إِلَى رَسُولِ ٱللَّهِ ﷺ لَقَاتَلْتُهُمْ عَلَى مَنْعِهَا قَالَ عُمَرُ: فَوَٱللَّهِ مَا هُوَ إِلاَّ أَنْ رَأَيْتُ أَنَّ ٱللَّهَ عَزَّ وَجَلَّ شَرَحَ صَدْرَ أَبِي بَكْرٍ لِلْقِتَالِ فَعَرَفْتُ أَنَّهُ الْحَقُّ، وَاللَّفْظُ لأَحْمَدَ.

3090 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا مُؤَمَّلُ بْنُ الْفَضْلِ قَالَ: حَدَّثَنَا الْوَلِيدُ قَالَ: حَدَّثَنِي شُعَيْبُ بْنُ أَبِي حَمْزَةَ وَسُفْيَانُ بْنُ عُيَيْنَةَ وَذَكَرَ آخَرَ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ قَالَ: لَمَّا جَمَعَ أَبُو بَكْرٍ لِقِتَالِهِمْ فَقَالَ عُمَرُ: يَا أَبَا بَكْرٍ كَيْفَ تُقَاتِلُ النَّاسَ وَقَدْ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لاَ إِلَهَ إِلاَّ ٱللَّهُ فَإِذَا قَالُوهَا عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلاَّ بِحَقِّهَا»؟** قَالَ أَبُو بَكْرٍ رَضِيَ ٱللَّهُ عَنْهُ: لأُقَاتِلَنَّ مَنْ فَرَّقَ بَيْنَ الصَّلاَةِ وَالزَّكَاةِ وَٱللَّهِ لَوْ مَنَعُونِي عَنَاقاً كَانُوا يُؤَدُّونَهَا إِلَى رَسُولِ ٱللَّهِ ﷺ لَقَاتَلْتُهُمْ عَلَى مَنْعِهَا. قَالَ عُمَرُ رَضِيَ ٱللَّهُ عَنْهُ: فَوَٱللَّهِ ما هُوَ إِلاَّ أَنْ رَأَيْتُ أَنَّ ٱللَّهَ تَعَالَى قَدْ شَرَحَ صَدْرَ أَبِي بَكْرٍ لِقِتَالِهِمْ فَعَرَفْتُ أَنَّهُ الْحَقُّ.

3091 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا عَمْرُو بْنُ عَاصِمٍ قَالَ: حَدَّثَنَا عِمْرَانُ أَبُو الْعَوَّامِ الْقَطَّانُ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: لَمَّا تُوُفِّيَ رَسُولُ ٱللَّهِ ﷺ ٱرْتَدَّتِ الْعَرَبُ قَالَ عُمَرُ: يَا أَبَا بَكْرٍ كَيْفَ تُقَاتِلُ الْعَرَبَ فَقَالَ أَبُو بَكْرٍ رَضِيَ ٱللَّهُ عَنْهُ: إِنَّمَا قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَشْهَدُوا أَنْ لاَ إِلَهَ إِلاَّ ٱللَّهُ وَأَنِّي رَسُولُ ٱللَّهِ وَيُقِيمُوا الصَّلاَةَ وَيُؤْتُوا الزَّكَاةَ»** وَٱللَّهِ لَوْ مَنَعُونِي عَنَاقاً مِمَّا كَانُوا يُعْطُونَ رَسُولَ ٱللَّهِ ﷺ لَقَاتَلْتُهُمْ عَلَيْهِ قَالَ عُمَرُ رَضِيَ ٱللَّهُ عَنْهُ: فَلَمَّا رَأَيْتُ رَأْيَ أَبِي بَكْرٍ قَدْ شُرِحَ عَلِمْتُ أَنَّهُ الْحَقُّ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: عِمْرَانُ الْقَطَّانُ لَيْسَ بِالْقَوِيِّ فِي الْحَدِيثِ وَهٰذَا الْحَدِيثُ خَطَأٌ وَالَّذِي قَبْلَهُ الصَّوَابُ حَدِيثُ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ عَنْ أَبِي هُرَيْرَةَ.

3092 ـ أَخْبَرَنَا أَحْمَدُ بْنُ مُحَمَّدِ بْنِ الْمُغِيرَةِ قَالَ: حَدَّثَنَا عُثْمَانُ عَنْ شُعَيْبٍ عَنِ الزُّهْرِيِّ ح. وَأَخْبَرَنِي عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرٍ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا شُعَيْبٌ عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنِي سَعِيدُ بْنُ الْمُسَيَّبِ أَنَّ أَبَا هُرَيْرَةَ أَخْبَرَهُ أَنَّ رَسُولَ ٱللَّهِ ﷺ

been commanded (by Allah Almighty) to fight the people until they say that 'there is no god (to be worshipped) but Allah': whoever says 'There is no god (to be worshipped) but Allah' has protected his own soul and property from me except legally, and his reckoning will be with Allah."

3093- It is narrated on the authority of Anas Ibn Malik that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Strive the pagans to the utmost of your power with your property, hands and tongues."

[2] The Severe Warning Of Leaving Jihad

3094- It is narrated on the authority of Abu Hurairah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who dies without taking part in Jihad, nor having the intention to take part in Jihad has died while being on a branch of hypocrisy."

[3] The Concession To Remain Behind A Military Expedition

3095- It is narrated on the authority of Abu Hurairah that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "By Him in Whose Hand is my soul! Had it not been for the fact that many believing men would not be pleased to remain behind me, and I have no means of transportation to carry them, I would not have remained behind any military expedition fighting in the Cause of Allah Almighty. By Him, in Whose Hand is my soul! I like to be killed in the Cause of Allah Almighty and then be given life, then be killed and then be given life, then be killed and then be given life, and then be killed (because of the great reward and the high position a martyr in Allah's Cause will receive)."

[4] The Superiority Of Such As Take Part In Jihad To Such As Remain Behind

3096- It is narrated on the authority of Sahl Ibn Sa'd: Once I found Marwan sitting, I came and sat with him. He told us that Zaid Ibn Thabit reported that the following was Divinely revealed upon Allah's Apostle "Allah's blessing and peace be upon him": "Not equal are those Believers who sit (at home), and those who strive and fight in the Cause of Allah with their property and themselves." Zaid said: Ibn Umm Maktum came to The Prophet "Allah's blessing and peace be upon him" while he was dictating to me that very Verse. On that Ibn Umm Maktum said: "O Allah's Apostle! Had I had power, surely I would have taken part in Jihad." So Allah sent down the following (upon His Apostle) while his thigh was on mine and it became so heavy upon me that I feared my thigh would be displaced, and then that state of him was over: "...but not those having (disabling) hurt."

قَالَ: «أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لاَ إِلَهَ إِلاَّ ٱللَّهُ فَمَنْ قَالَهَا فَقَدْ عَصَمَ مِنِّي نَفْسَهُ وَمَالَهُ إِلاَّ بِحَقِّهِ وَحِسَابُهُ عَلَى ٱللَّهِ».

3093 ـ أَخْبَرَنَا هَارُونُ بْنُ عَبْدِ ٱللَّهِ وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالاَ: حَدَّثَنَا يَزِيدُ قَالَ: أَنْبَأَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ حُمَيْدٍ عَنْ أَنَسٍ عَنِ النَّبِيِّ ﷺ قَالَ: «جَاهِدُوا الْمُشْرِكِينَ بِأَمْوَالِكُمْ وَأَيْدِيكُمْ وَأَلْسِنَتِكُمْ».

(2) ـ التَّشْدِيدُ فِي تَرْكِ الجِهَادِ

3094 ـ أَخْبَرَنَا عَبْدَةُ بْنُ عَبْدِ الرَّحِيمِ قَالَ: حَدَّثَنَا سَلَمَةُ بْنُ سُلَيْمَانَ قَالَ: أَنْبَأَنَا ٱبْنُ الْمُبَارَكِ قَالَ: أَنْبَأَنَا وُهَيْبٌ يَعْنِي ٱبْنَ الْوَرْدِ قَالَ: أَخْبَرَنِي عَمْرُو بْنُ مُحَمَّدِ بْنِ الْمُنْكَدِرِ عَنْ سُمَيٍّ عَنْ أَبِي صَالِحٍ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ مَاتَ وَلَمْ يَغْزُ وَلَمْ يُحَدِّثْ نَفْسَهُ بِغَزْوٍ مَاتَ عَلَى شُعْبَةٍ نِفَاقٍ».

(3) ـ الرُّخْصَةُ فِي التَّخَلُّفِ عن السَّرِيَّةِ

3095 ـ أَخْبَرَنَا أَحْمَدُ بْنُ يَحْيَى بْنِ الْوَزِيرِ بْنِ سُلَيْمَانَ عَنِ ٱبْنِ عُفَيْرٍ عَنِ اللَّيْثِ عَنِ ٱبْنِ مُسَافِرٍ عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ وَسَعِيدِ بْنِ الْمُسَيَّبِ أَنَّ أَبَا هُرَيْرَةَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «وَالَّذِي نَفْسِي بِيَدِهِ لَوْلاَ أَنَّ رِجَالاً مِنَ الْمُؤْمِنِينَ لاَ تَطِيبُ أَنْفُسُهُمْ أَنْ يَتَخَلَّفُوا عَنِّي وَلاَ أَجِدُ مَا أَحْمِلُهُمْ عَلَيْهِ مَا تَخَلَّفْتُ عَنْ سَرِيَّةٍ تَغْزُو فِي سَبِيلِ ٱللَّهِ عَزَّ وَجَلَّ وَالَّذِي نَفْسِي بِيَدِهِ لَوَدِدْتُ أَنِّي أُقْتَلُ فِي سَبِيلِ ٱللَّهِ ثُمَّ أُحْيَا ثُمَّ أُقْتَلُ ثُمَّ أُحْيَا ثُمَّ أُقْتَلُ ثُمَّ أُحْيَا ثُمَّ أُقْتَلُ».

(4) ـ فَضْلُ المُجَاهِدِينَ على القَاعِدِينَ

3096 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا بِشْرٌ يَعْنِي ٱبْنَ الْمُفَضَّلِ قَالَ: أَنْبَأَنَا عَبْدُ الرَّحْمٰنِ بْنُ إِسْحَاقَ عَنِ الزُّهْرِيِّ عَنْ سَهْلِ بْنِ سَعْدٍ قَالَ: رَأَيْتُ مَرْوَانَ بْنَ الْحَكَمِ جَالِساً فَجِئْتُ حَتَّى جَلَسْتُ إِلَيْهِ فَحَدَّثَنَا أَنَّ زَيْدَ بْنَ ثَابِتٍ حَدَّثَهُ: أَنَّ رَسُولَ ٱللَّهِ ﷺ أُنْزِلَ عَلَيْهِ ﴿لَّا يَسْتَوِى ٱلْقَٰعِدُونَ مِنَ ٱلْمُؤْمِنِينَ غَيْرُ أُوْلِى ٱلضَّرَرِ وَٱلْمُجَٰهِدُونَ فِى سَبِيلِ ٱللَّهِ﴾ [النساء، الآية: 95] فَجَاءَ ٱبْنُ أُمِّ مَكْتُومٍ وَهُوَ يُمِلُّهَا عَلَيَّ فَقَالَ: يَا رَسُولَ ٱللَّهِ لَوْ أَسْتَطِيعُ الْجِهَادَ لَجَاهَدْتُ فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ وَفَخِذُهُ عَلَى فَخِذِي فَثَقُلَتْ عَلَيَّ حَتَّى ظَنَنْتُ أَنْ سَتُرَضُّ فَخِذِي ثُمَّ سُرِّيَ عَنْهُ ﴿غَيْرُ أُوْلِى ٱلضَّرَرِ﴾ [النساء، الآية: 95].

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: عَبْدُ الرَّحْمٰنِ بْنُ إِسْحَاقَ هٰذَا لَيْسَ بِهِ بَأْسٌ وَعَبْدُ الرَّحْمٰنِ بْنُ إِسْحَاقَ يَرْوِي عَنْهُ عَلِيُّ بْنُ مُسْهِرٍ وَأَبُو مُعَاوِيَةَ وَعَبْدُ الْوَاحِدِ بْنُ زِيَادٍ عَنِ النُّعْمَانِ بْنِ سَعْدٍ لَيْسَ بِثِقَةٍ.

3097- It is narrated on the authority of Sahl Ibn Sa'd: Once I found Marwan sitting in the mosque. I came closer to him until I sat by his side. He told us that Zaid Ibn Thabit reported that Allah's Apostle "Allah's blessing and peace be upon him" had dictated to him the Divine Verse: "Not equal are those Believers who sit (at home), and those who strive and fight in the Cause of Allah with their property and themselves." Zaid said: Ibn Umm Maktum came to The Prophet "Allah's blessing and peace be upon him" while he was dictating to me that very Verse. On that Ibn Umm Maktum said: "O Allah's Apostle! Had I had power, surely I would have taken part in Jihad." He was a blind man. So Allah sent down revelation to His Apostle "Allah's blessing and peace be upon him" while his thigh was on mine and it became so heavy upon me that I feared my thigh would be displaced. Then that state of The Prophet "Allah's blessing and peace be upon him" was over after Allah revealed: "...but not those having (disabling) hurt."

3098- It is narrated on the authority of Al-Bara' that Allah's Apostle "Allah's blessing and peace be upon him" said: "Bring me ink-pot and a shoulder-blade." He dictated: "Not equal are those Believers who sit (at home), and those who strive and fight in the Cause of Allah with their property and themselves." Amr Ibn Umm Maktum was standing behind him (and he was a blind man). He said: "Is there any concession for me (not to take part in Jihad since I'm blind)?" on that it was revealed: "...but not those having (disabling) hurt."

3099- It is narrated on the authority of Al-Bara' that he said: When the following was revealed: "Not equal are those Believers who sit (at home), and those who strive and fight in the Cause of Allah with their property and themselves" Abdullah Ibn Umm Maktum, and he was a blind man, came and said: "O Messenger of Allah! What about me since I'm a blind man?" He did not leave before it was revealed: "...but not those having (disabling) hurt."

[5] The Concession To Remain Behind If One Has Parents

3100- It is narrated on the authority of Abdullah Ibn Amr that he said: A man came to Allah's Apostle "Allah's blessing and peace be upon him" to seek his permission to take part in Jihad. He asked him: "Are your parents living?" he answered in the affirmative, thereupon he said: "Then, strive to the utmost of your power (to look after and take care) of them."

[6] The Concession To Remain Behind If One Has His Mother Living

3101- It is narrated on the authority of Mu'awiyah Ibn Jahemah As-Salami that Jahemah came to Allah's Apostle "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I have the intention to take part

3097 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ يَحْيَى بْنِ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ بْنِ سَعْدٍ قَالَ: حَدَّثَنِي أَبِي عَنْ صَالِحٍ عَنِ ٱبْنِ شِهَابٍ قَالَ: حَدَّثَنِي سَهْلُ بْنُ سَعْدٍ قَالَ: رَأَيْتُ مَرْوَانَ جَالِساً فِي الْمَسْجِدِ فَأَقْبَلْتُ حَتَّى جَلَسْتُ إِلَى جَنْبِهِ فَأَخْبَرَنَا أَنَّ زَيْدَ بْنَ ثَابِتٍ أَخْبَرَهُ: أَنَّ رَسُولَ ٱللَّهِ ﷺ أَمْلَى عَلَيْهِ ﴿لَّا يَسْتَوِى ٱلْقَٰعِدُونَ مِنَ ٱلْمُؤْمِنِينَ غَيْرُ أُوْلِى ٱلضَّرَرِ وَٱلْمُجَٰهِدُونَ فِى سَبِيلِ ٱللَّهِ﴾ قَالَ: فَجَاءَهُ ٱبْنُ أُمِّ مَكْتُومٍ وَهُوَ يُمِلُّهَا عَلَيَّ فَقَالَ: يَا رَسُولَ ٱللَّهِ لَوْ أَسْتَطِيعُ الْجِهَادَ لَجَاهَدْتُ وَكَانَ رَجُلاً أَعْمَى فَأَنْزَلَ ٱللَّهُ عَلَى رَسُولِهِ ﷺ وَفَخِذُهُ عَلَى فَخِذِي حَتَّى هَمَّتْ تَرُضُّ فَخِذِي ثُمَّ سُرِّيَ عَنْهُ فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ ﴿غَيْرُ أُوْلِى ٱلضَّرَرِ﴾.

3098 ـ أَخْبَرَنَا نَصْرُ بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا مُعْتَمِرٌ عَنْ أَبِيهِ عَنْ أَبِي إِسْحَاقَ عَنِ الْبَرَاءِ: أَنَّ النَّبِيَّ ﷺ ثُمَّ ذَكَرَ كَلِمَةً مَعْنَاهَا قَالَ: «**ٱئْتُونِي بِالْكَتِفِ وَاللَّوْحِ**» فَكَتَبَ ﴿لَّا يَسْتَوِى ٱلْقَٰعِدُونَ مِنَ ٱلْمُؤْمِنِينَ﴾» وَعَمْرُو بْنُ أُمِّ مَكْتُومٍ خَلْفَهُ فَقَالَ: هَلْ لِي رُخْصَةٌ؟ فَنَزَلَتْ ﴿غَيْرُ أُوْلِى ٱلضَّرَرِ﴾.

3099 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا أَبُو بَكْرِ بْنِ عَيَّاشٍ عَنْ أَبِي إِسْحَاقَ عَنِ الْبَرَاءِ قَالَ: لَمَّا نَزَلَتْ لاَ يَسْتَوِي الْقَاعِدُونَ مِنَ الْمُؤْمِنِينَ جَاءَ ٱبْنُ أُمِّ مَكْتُومٍ وَكَانَ أَعْمَى فَقَالَ: يَا رَسُولَ ٱللَّهِ فَكَيْفَ فِيَّ وَأَنَا أَعْمَى قَالَ: فَمَا بَرِحَ حَتَّى نَزَلَتْ ﴿غَيْرُ أُوْلِى ٱلضَّرَرِ﴾.

(5) ـ الرُّخْصَةُ فِي التَّخَلُّفِ لمن له وَالِدَانِ

3100 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ سُفْيَانَ وَشُعْبَةَ قَالاَ: حَدَّثَنَا حَبِيبُ بْنُ أَبِي ثَابِتٍ عَنْ أَبِي الْعَبَّاسِ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو قال: جَاءَ رَجُلٌ إِلَى رَسُولِ ٱللَّهِ ﷺ يَسْتَأْذِنُهُ فِي الْجِهَادِ فَقَالَ: «**أَحَيٌّ وَالِدَاكَ؟**» قَالَ: نَعَمْ قَالَ: «**فَفِيهِمَا فَجَاهِدْ**».

(6) ـ الرُّخْصَةُ فِي التَّخَلُّفِ لِمَنْ له والدةٌ

3101 ـ أَخْبَرَنَا عَبْدُ الْوَهَّابِ بْنُ عَبْدِ الْحَكَمِ الْوَرَّاقُ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي مُحَمَّدُ بْنُ طَلْحَةَ وَهُوَ ٱبْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ أَبِيهِ طَلْحَةَ عَنْ مُعَاوِيَةَ بْنِ جَاهِمَةَ السَّلَمِيِّ أَنَّ جَاهِمَةَ جَاءَ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَرَدْتُ

in Jihad in the Cause of Allah Almighty, and I've come to seek your advice." Allah's Apostle "Allah's blessing and peace be upon him" asked him: "Are your mother living?" he answered in the affirmative, thereupon he said to him: "Then, stick to her, since the (way to) Garden is underneath her feet."

[7] The Excellence Of Such As Strives To The Utmost Of His Power In The Cause Of Allah With His Own Property And Soul

3102- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "Which is the best among the people O Messenger of Allah?" he said: "A man who strives to the utmost of his power in the Cause of Allah with his own property and soul." He asked: "Then, who is next O Messenger of Allah?" he said: "Then, a faithful believer who lives in one of those mountain paths, fears Allah Almighty, and relieves the people of his evil."

[8] The Excellence Of Such As Works In Allah's Cause On Foot

3103- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: the Messenger of Allah "Allah's blessing and peace be upon him" was addressing the people with a sermon, reclining his back against his mount, in the year of (the holy battle of) Tabuk, when he said: "Should I not tell you about the best of people and the worst of people? The best among the people is one, who works in the Cause of Allah on the back of his horse, or on the back of his camel, or on foot until death approaches him; and the worst among the people is a wicked dissolute man, who recites Allah's Book, even though he has no care for (nor receive admonition from) anything of it."

3104- It is narrated on the authority of Abu Hurairah that he said: "No one weeps out of fear of Allah Almighty and the fire (of Hell) will eat him up until the milk is brought back to the udder once again. Furthermore, the dust raised in the Cause of Allah and the smoke of Hell never gather in the nostrils of a Muslim."

3105- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "No one weeps out of fear of Allah Almighty will enter the fire (of Hell) until the milk is brought back to the udder once again; and the dust raised in the Cause of Allah and the smoke of the fire of Hell never gather together."

3106- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "No Muslim who kills an infidel and then does deeds properly, as much as is within his capacity, will enter the fire (of Hell); and the dust raised in the Cause of Allah, and the exhalation of (the fire of) Hell never gather inside a

أَنْ أَغْزُوَ وَقَدْ جِئْتُ أَسْتَشِيرُكَ فَقَالَ: «هَلْ لَكَ مِنْ أُمٍّ؟» قَالَ: نَعَمْ قَالَ: «فَالْزَمْهَا فَإِنَّ الْجَنَّةَ تَحْتَ رِجْلَيْهَا».

(7) ـ فَضْلُ من يُجَاهِدُ في سَبِيلِ الله بنَفْسِهِ ومَالِهِ

3102 ـ أَخْبَرَنَا كَثِيرُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا بَقِيَّةُ عَنِ الزُّبَيْدِيِّ عَنِ الزُّهْرِيِّ عَنْ عَطَاءِ بْنِ يَزِيدَ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ: أَنَّ رَجُلاً أَتَى رَسُولَ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَيُّ النَّاسِ أَفْضَلُ؟ قَالَ: «مَنْ جَاهَدَ بِنَفْسِهِ وَمَالِهِ فِي سَبِيلِ ٱللَّهِ» قَالَ: ثُمَّ مَنْ يَا رَسُولَ ٱللَّهِ؟ قَالَ: «ثُمَّ مُؤْمِنٌ فِي شِعْبٍ مِنَ الشِّعَابِ يَتَّقِي ٱللَّهَ وَيَدَعُ النَّاسَ مِنْ شَرِّهِ».

(8) ـ فَضْلُ من عَمِلَ في سَبِيلِ الله على قَدَمِهِ

3103 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ أَبِي الْخَيْرِ عَنْ أَبِي الْخَطَّابِ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ: كَانَ رَسُولُ ٱللَّهِ ﷺ عَامَ تَبُوكَ يَخْطُبُ النَّاسَ وَهُوَ مُسْنِدٌ ظَهْرَهُ إِلَى رَاحِلَتِهِ فَقَالَ: «أَلاَ أُخْبِرُكُمْ بِخَيْرِ النَّاسِ وَشَرِّ النَّاسِ؟ إِنَّ مِنْ خَيْرِ النَّاسِ رَجُلاً عَمِلَ فِي سَبِيلِ ٱللَّهِ عَلَى ظَهْرِ فَرَسِهِ أَوْ عَلَى ظَهْرِ بَعِيرِهِ أَوْ عَلَى قَدَمِهِ حَتَّى يَأْتِيَهُ الْمَوْتُ وَإِنَّ مِنْ شَرِّ النَّاسِ رَجُلاً فَاجِراً يَقْرَأُ كِتَابَ ٱللَّهِ لاَ يَرْعَوِي إِلَى شَيْءٍ مِنْهُ».

3104 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ عَوْنٍ قَالَ: حَدَّثَنَا مِسْعَرٌ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ عِيسَى بْنِ طَلْحَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: «لاَ يَبْكِي أَحَدٌ مِنْ خَشْيَةِ ٱللَّهِ فَتَطْعَمَهُ النارُ حَتَّى يَرُدَّ اللَّبَنُ فِي الضَّرْعِ وَلاَ يَجْتَمِعُ غُبَارٌ فِي سَبِيلِ ٱللَّهِ وَدُخَانُ جَهَنَّمَ فِي مَنْخَرَيْ مُسْلِمٍ أَبَداً».

3105 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنِ ٱبْنِ الْمُبَارَكِ عَنِ الْمَسْعُودِيِّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ عِيسَى بْنِ طَلْحَةَ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «لاَ يَلِجُ النَّارَ رَجُلٌ بَكَى مِنْ خَشْيَةِ ٱللَّهِ تَعَالَى حَتَّى يَعُودَ اللَّبَنُ فِي الضَّرْعِ وَلاَ يَجْتَمِعُ غُبَارٌ فِي سَبِيلِ ٱللَّهِ وَدُخَانُ نَارِ جَهَنَّمَ».

3106 ـ أَخْبَرَنَا عِيسَى بْنُ حَمَّادٍ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنِ ٱبْنِ عَجْلاَنَ عَنْ سُهَيْلِ بْنِ أَبِي صَالِحٍ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «لاَ يَجْتَمِعَانِ فِي النَّارِ مُسْلِمٌ قَتَلَ كَافِراً ثُمَّ سَدَّدَ وَقَارَبَ وَلاَ يَجْتَمِعَانِ في جَوْفِ مُؤْمِنٍ غُبَارٌ فِي سَبِيلِ ٱللَّهِ وَفَيْحِ جَهَنَّمَ

faithful believer; and both faith and envy never gather in the heart of a servant (of Allah)."

3107- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: " the dust raised in the Cause of Allah and the smoke of the fire of Hell never gather together inside a servant; and both niggardliness and faith never gather in the heart of a servant (of Allah)."

3108- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: " the dust raised in the Cause of Allah and the smoke of the fire of Hell never gather together on the face of a man; and both niggardliness and faith never gather in the heart of a servant (of Allah)."

3109- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: " the dust raised in the Cause of Allah and the smoke of the fire of Hell never gather together inside a servant; and both niggardliness and faith never gather in the heart of a servant (of Allah)."

3110- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: " the dust raised in the Cause of Allah Almighty and the smoke of the fire of Hell never gather together in the nostrils of a Muslim."

3111- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: " the dust raised in the Cause of Allah Almighty and the smoke of the fire of Hell never gather together in the nostrils of a Muslim; and both niggardliness and faith never gather in the heart of a Muslim."

3112-It is narrated on the authority of Abu Hurairah that he said: " Allah Almighty never combines the dust raised in the Cause of Allah Almighty and the smoke of Hell together inside a Muslim; and Allah Almighty never combines faith in Allah and niggardliness together in the heart of a Muslim."

[9] The Reward Of Such As Has His Feet Covered With Dust In The Cause Of Allah

3113- It is narrated on the authority of Yazid Ibn Abu Maryam that he said: Abayah Ibn Rafi' caught up with me while I was walking to the (mosque in order to attend) Friday prayer, thereupon he said: "Receive the glad tidings for those steps of yours are in Allah's Cause. I heard Abu Abs having said: the Messenger of Allah "Allah's blessing and peace be upon

وَلاَ يَجْتَمِعَانِ فِي قَلْبِ عَبْدٍ الإِيمَانُ وَالْحَسَدُ».

3107 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ سُهَيْلٍ عَنْ صَفْوَانَ بْنِ أَبِي يَزِيدَ عَنِ الْقَعْقَاعِ بْنِ اللَّجْلاَجِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ يَجْتَمِعُ غُبَارٌ فِي سَبِيلِ ٱللَّهِ وَدُخَانُ جَهَنَّمَ فِي جَوْفِ عَبْدٍ أَبَداً وَلاَ يَجْتَمِعُ الشُّحُّ وَالإِيمَانُ فِي قَلْبِ عَبْدٍ أَبَداً».

3108 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ سُهَيْلِ بْنِ أَبِي صَالِحٍ عَنْ صَفْوَانَ بْنِ سُلَيْمٍ عَنْ خَالِدِ بْنِ اللَّجْلاَجِ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «لاَ يَجْتَمِعُ غُبَارٌ فِي سَبِيلِ ٱللَّهِ وَدُخَانُ جَهَنَّمَ فِي وَجْهِ رَجُلٍ أَبَداً وَلاَ يَجْتَمِعُ الشُّحُّ وَالإِيمَانُ فِي قَلْبِ عَبْدٍ أَبَداً».

3109 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ عَامِرٍ قَالَ: حَدَّثَنَا مَنْصُورُ بْنُ سَلَمَةَ قَالَ: أَنْبَأَنَا ٱللَّيْثُ بْنُ سَعْدٍ عَنِ ٱبْنِ الْهَادِ عَنْ سُهَيْلِ بْنِ أَبِي صَالِحٍ عَنْ صَفْوَانَ بْنَ أَبِي يَزِيدَ عَنِ الْقَعْقَاعِ بْنِ اللَّجْلاَجِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ يَجْتَمِعُ غُبَارٌ فِي سَبِيلِ ٱللَّهِ وَدُخَانُ جَهَنَّمَ فِي جَوْفِ عَبْدٍ وَلاَ يَجْتَمِعُ الشُّحُّ وَالإِيمَانُ فِي جَوْفِ عَبْدٍ».

3110 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَرْعَرَةُ بْنُ الْبِرِنْدِ وَٱبْنُ أَبِي عَدِيٍّ قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَمْرٍو عَنْ صَفْوَانَ بْنِ أَبِي يَزِيدَ عَنْ حُصَيْنِ بْنِ اللَّجْلاَجِ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «لاَ يَجْتَمِعُ غُبَارٌ فِي سَبِيلِ ٱللَّهِ عَزَّ وَجَلَّ وَدُخَانُ جَهَنَّمَ فِي مَنْخَرَيْ مُسْلِمٍ أَبَداً».

3111 ـ أَخْبَرَنِي شُعَيْبُ بْنُ يُوسُفَ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ عَنْ مُحَمَّدِ بْنِ عَمْرٍو عَنْ صَفْوَانَ بْنِ أَبِي يَزِيدَ عَنْ حُصَيْنِ بْنِ اللَّجْلاَجِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ يَجْتَمِعُ غُبَارٌ فِي سَبِيلِ ٱللَّهِ وَدُخَانُ جَهَنَّمَ فِي مَنْخَرَيْ مُسْلِمٍ وَلاَ يَجْتَمِعُ شُحٌّ وَإِيمَانٌ فِي قَلْبِ رَجُلٍ مُسْلِمٍ».

3112 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ عَنْ شُعَيْبٍ عَنِ اللَّيْثِ عَنْ عُبَيْدِ ٱللَّهِ بْنِ أَبِي جَعْفَرٍ عَنْ صَفْوَانَ بْنِ أَبِي يَزِيدَ عَنْ أَبِي الْعَلاَءِ بْنِ اللَّجْلاَجِ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: «لاَ يَجْمَعُ ٱللَّهُ عَزَّ وَجَلَّ غُبَاراً فِي سَبِيلِ ٱللَّهِ وَدُخَانَ جَهَنَّمَ فِي جَوْفِ ٱمْرِىءٍ مُسْلِمٍ وَلاَ يَجْمَعُ ٱللَّهُ فِي قَلْبِ ٱمْرِىءٍ مُسْلِمٍ الإِيمَانَ بِٱللَّهِ وَالشُّحَّ جَمِيعاً».

(9) ـ ثَوَابُ مَنِ اغْبَرَّتْ قَدَمَاهُ فِي سَبِيلِ الله

3113 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ حُرَيْثٍ قَالَ: حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ أَبِي مَرْيَمَ قَالَ: لَحِقَنِي عَبَايَةُ بْنُ رَافِعٍ وَأَنَا مَاشٍ إِلَى الْجُمُعَةِ فَقَالَ: أَبْشِرْ فَإِنَّ خُطَاكَ هٰذِهِ فِي سَبِيلِ ٱللَّهِ سَمِعْتُ أَبَا عَبْسٍ يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «مَنِ ٱغْبَرَّتْ

him" said: "He, who has his feet covered with dust in Allah's Cause, his body will be forbidden to the fire (of Hell)."

[10] The Reward Of The Eye Which Keeps Sleepless At Night In The Cause Of Allah Almighty

3114- It is narrated on the authority of Abu Raihanah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Such an eye as keeps sleepless at night in the Cause of Allah Almighty is forbidden to the fire (of Hell)."

[11] The Excellence Of Going Early In The Morning In The Cause Of Allah Almighty

3115- It is narrated on the authority of Sahl Ibn Sa'd that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "(The reward of) going early in the morning, and returning in the evening in the Cause of Allah is much better than the world and all of what it contains."

[12] The Excellence Of Returning In The Evening In The Cause Of Allah Almighty

3116- It is narrated on the authority of Abu Ayyub Al-Ansari that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "(The reward of) going early in the morning, or returning in the evening in the Cause of Allah is much better than all of that upon which the sun rises and sets."

3117- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is incumbent upon Allah to aid three persons: the fighter in the Cause of Allah; such as intends to marry, seeking chastity (to abstain from doing what is forbidden); and the slave who has a deed from his master to be emancipated in return for a certain sum, and he seeks to afford (for his manumission)."

[13] The Fighters In Allah's Cause Are Allah's Delegates

3118- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Three (types of persons) represent (three kinds of) Allah's delegates: such as fights (in Allah's Cause), such as performs Hajj, and such as performs Umrah."

[14] What Allah Assures To Such As Strives In His Cause

3119- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah assures to such as strives in His Way, and nothing causes him to set out but

قَدَمَاهُ فِي سَبِيلِ ٱللَّهِ فَهُوَ حَرَامٌ عَلَى النَّارِ».

(10) ـ ثَوَابُ عَيْنٍ سَهِرَتْ فِي سَبِيلِ الله عزّ وجلّ

3114 ـ أَخْبَرَنَا عِصْمَةُ بْنُ الْفَضْلِ قَالَ: حَدَّثَنَا زَيْدُ بْنُ حُبَابٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ شُرَيْحٍ قَالَ: سَمِعْتُ مُحَمَّدَ بْنَ شُمَيْرٍ الرُّعَيْنِيَّ يَقُولُ: سَمِعْتُ أَبَا عَلِيٍّ التُّجِيبِيَّ أَنَّهُ سَمِعَ أَبَا رَيْحَانَةَ يَقُولُ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**حُرِّمَتْ عَيْنٌ عَلَى النَّارِ سَهِرَتْ فِي سَبِيلِ ٱللَّهِ**».

(11) ـ فَضْلُ غَدْوَةٍ فِي سَبِيلِ الله عزّ وجلّ

3115 ـ أَخْبَرَنَا عَبْدَةُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا حُسَيْنُ بْنُ عَلِيٍّ عَنْ زَائِدَةَ عَنْ سُفْيَانَ عَنْ أَبِي حَازِمٍ عَنْ سَهْلِ بْنِ سَعْدٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**الْغَدْوَةُ وَالرَّوْحَةُ فِي سَبِيلِ ٱللَّهِ عَزَّ وَجَلَّ أَفْضَلُ مِنَ الدُّنْيَا وَمَا فِيهَا**».

(12) ـ فَضْلُ الرَّوْحَةِ فِي سَبِيلِ الله عزّ وجلّ

3116 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا سَعِيدُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنِي شُرَحْبِيلُ بْنُ شَرِيكٍ الْمُعَافِرِيُّ عَنْ أَبِي عَبْدِ الرَّحْمٰنِ الْحُبُلِيِّ أَنَّهُ سَمِعَ أَبَا أَيُّوبَ الأَنْصَارِيَّ يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**غَدْوَةٌ فِي سَبِيلِ ٱللَّهِ أَوْ رَوْحَةٌ خَيْرٌ مِمَّا طَلَعَتْ عَلَيْهِ الشَّمْسُ وَغَرَبَتْ**».

3117 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ عَنْ أَبِيهِ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ الْمُبَارَكِ عَنْ مُحَمَّدِ بْنِ عَجْلاَنَ عَنْ سَعِيدٍ الْمَقْبُرِيِّ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**ثَلاَثَةٌ كُلُّهُمْ حَقٌّ عَلَى ٱللَّهِ عَزَّ وَجَلَّ عَوْنُهُ الْمُجَاهِدُ فِي سَبِيلِ ٱللَّهِ وَالنَّاكِحُ الَّذِي يُرِيدُ الْعَفَافَ وَالْمُكَاتَبُ الَّذِي يُرِيدُ الأَدَاءَ**».

(13) ـ بَابُ الغُزَاةُ وَفْدُ الله تَعَالَى

3118 ـ أَخْبَرَنَا عِيسَى بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ عَنْ مَخْرَمَةَ عَنْ أَبِيهِ قَالَ: سَمِعْتُ سُهَيْلَ بْنَ أَبِي صَالِحٍ قَالَ: سَمِعْتُ أَبِي يَقُولُ: سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**وَفْدُ ٱللَّهِ عَزَّ وَجَلَّ ثَلاَثَةٌ الْغَازِي وَالْحَاجُّ وَالْمُعْتَمِرُ**».

(14) ـ بَابُ ما تَكَفَّلَ الله عزّ وجلّ لمنْ يُجَاهِدُ فِي سَبِيله

3119 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ أَبِي الزِّنَادِ عَنِ الأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**تَكَفَّلَ ٱللَّهُ عَزَّ وَجَلَّ لِمَنْ جَاهَدَ فِي سَبِيلِهِ لاَ يُخْرِجُهُ إِلاَّ**

for Jihad in the Way of Allah , and out of faith in Him, that He should admit him to The Garden or bring him back to his house, from which he set out, with whatever reward or war booty he gains."

3120- It is narrated on the authority of Abu Hurairah that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "Allah has prepared (a great reward) for such as sets out in His Way (He Almighty says) 'since nothing causes him to set out but Me and for Jihad in My Way, I assure to admit him to the Garden, with anyone of the following: either to be killed, or to cause him to die, or bring him back to his house, from which he set out, with whatever reward or war booty he gains.'"

3121- It is narrated on the authority of Abu Hurairah that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "The example of such as fights in the Cause of Allah, and Allah Almighty knows best who really fights in His Cause, is like the example of such as fasts and stands (at night for supererogatory prayers); and Allah Almighty assures to such as fights in His Way to cause him to die and admit him to the Garden, or bring him back safely (to his house) with whatever reward or war booty he gains."

[15] The Reward Of The Military Expedition Which Fails

3122- It is narrated on the authority of Abdullah Ibn Amr that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "There is no military expedition that fights in Allah's Cause and (its soldiers) get booty but that they will have two-thirds their reward of the hereafter hastened on for them, and only one-third the reward remains for them; and if they get no booty, they will have their reward in full."

3123- It is narrated on the authority of Ibn Umar from The Messenger of Allah "Allah's blessing and peace be upon him" relating from his Lord Almighty that He said: "No one of My servants sets out as a fighter in the Cause of Allah, seeking My Good Pleasure but that I assure to bring him back, in case I bring him back, with whatever reward or war booty he gains; and to forgive him and bestow mercy upon him in case I arrest his soul (and cause him to die)."

[16] The Example Of The Fighter In The Cause Of Allah Almighty

3124- It is narrated on the authority of Abu Hurairah that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "The example of such as fights in the Cause of Allah, and Allah Almighty knows best who really fights in His Cause, is like the example of such as observes fasts, stands (at night for supererogatory prayers) who is

الْجِهَادُ فِي سَبِيلِهِ وَتَصْدِيقُ كَلِمَتِهِ بِأَنْ يُدْخِلَهُ الْجَنَّةَ أَوْ يَرُدَّهُ إِلَى مَسْكَنِهِ الَّذِي خَرَجَ مِنْهُ مَعَ مَا نَالَ مِنْ أَجْرٍ أَوْ غَنِيمَةٍ».

3120 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ سَعِيدٍ عَنْ عَطَاءِ بْنِ مِينَاءَ مَوْلَى ابْنِ أَبِي ذُبَابٍ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «انْتَدَبَ اللَّهُ عَزَّ وَجَلَّ لِمَنْ يَخْرُجُ فِي سَبِيلِهِ لاَ يُخْرِجُهُ إِلاَّ الإِيمَانُ بِي وَالْجِهَادُ فِي سَبِيلِي أَنَّهُ ضَامِنٌ حَتَّى أُدْخِلَهُ الْجَنَّةَ بِأَيِّهِمَا كَانَ إِمَّا بِقَتْلٍ أَوْ وَفَاةٍ أَوْ أَرُدَّهُ إِلَى مَسْكَنِهِ الَّذِي خَرَجَ مِنْهُ نَالَ مَا نَالَ مِنْ أَجْرٍ أَوْ غَنِيمَةٍ».

3121 ـ أَخْبَرَنِي عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرِ بْنِ دِينَارٍ قَالَ: حَدَّثَنَا أَبِي عَنْ شُعَيْبٍ عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي سَعِيدُ بْنُ الْمُسَيَّبِ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَثَلُ الْمُجَاهِدِ فِي سَبِيلِ اللَّهِ وَاللَّهُ أَعْلَمُ بِمَنْ يُجَاهِدُ فِي سَبِيلِ اللَّهِ كَمَثَلِ الصَّائِمِ الْقَائِمِ وَتَوَكَّلَ اللَّهُ لِلْمُجَاهِدِ فِي سَبِيلِهِ بِأَنْ يَتَوَفَّاهُ فَيُدْخِلَهُ الْجَنَّةَ أَوْ يَرْجِعَهُ سَالِماً بِمَا نَالَ مِنْ أَجْرٍ أَوْ غَنِيمَةٍ».

(15) ـ بَابُ ثَوَابِ السَّرِيَّةِ التِي تُخْفِقُ

3122 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ يَزِيدَ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا حَيْوَةُ وَذَكَرَ آخَرَ قَالاَ: حَدَّثَنَا أَبُو هَانِىءٍ الْخَوْلاَنِيُّ أَنَّهُ سَمِعَ أَبَا عَبْدِ الرَّحْمٰنِ الْحُبُلِيَّ يَقُولُ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ عَمْرٍو يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَا مِنْ غَازِيَةٍ تَغْزُو فِي سَبِيلِ اللَّهِ فَيُصِيبُونَ غَنِيمَةً إِلاَّ تَعَجَّلُوا ثُلُثَيْ أَجْرِهِمْ مِنَ الآخِرَةِ وَيَبْقَى لَهُمُ الثُّلُثُ فَإِنْ لَمْ يُصِيبُوا غَنِيمَةً تَمَّ لَهُمْ أَجْرُهُمْ».

3123 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا حَجَّاجٌ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ يُونُسَ عَنِ الْحَسَنِ عَنِ ابْنِ عُمَرَ عَنِ النَّبِيِّ ﷺ فِيمَا يَحْكِيهِ عَنْ رَبِّهِ عَزَّ وَجَلَّ قَالَ: «أَيُّمَا عَبْدٍ مِنْ عِبَادِي خَرَجَ مُجَاهِداً فِي سَبِيلِ اللَّهِ ابْتِغَاءَ مَرْضَاتِي ضَمِنْتُ لَهُ أَنْ أَرْجِعَهُ إِنْ أَرْجَعْتُهُ بِمَا أَصَابَ مِنْ أَجْرٍ أَوْ غَنِيمَةٍ وَإِنْ قَبَضْتُهُ غَفَرْتُ لَهُ وَرَحِمْتُهُ».

(16) ـ مَثَلُ المُجَاهِدِ في سَبِيلِ الله عزّ وجلّ

3124 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنِ ابْنِ الْمُبَارَكِ عَنْ مَعْمَرٍ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَثَلُ الْمُجَاهِدِ فِي سَبِيلِ اللَّهِ وَاللَّهُ أَعْلَمُ بِمَنْ يُجَاهِدُ فِي سَبِيلِهِ كَمَثَلِ الصَّائِمِ الْقَائِمِ

devoutly obedient, who bows and falls in prostration (to Allah Almighty in his prayers)."

[17] What Is Equal To Jihad In The Cause Of Allah Almighty

3125- It is narrated on the authority of Abu Hurairah that he said: A man came to The Messenger of Allah "Allah's blessing and peace be upon him" And said: "Guide me to a deed, which is equal to Jihad (in reward)." He said: "I could not find that: but anyway, when a fighter sets out (in Allah's Cause) could you enter a mosque and keep standing relentlessly, and keep fasting uninterruptedly?" he said: "Who could have power to do that?"

3126- It is narrated on the authority of Abu Dharr that he asked The Messenger of Allah "Allah's blessing and peace be upon him": "Which deed is the best?" he said: "To have (true and sincere) faith in Allah Almighty, and practice Jihad in Allah's Cause."

3127- It is narrated on the authority of Abu Hurairah that he said: A man asked The Messenger of Allah "Allah's blessing and peace be upon him": "Which deed is the best?" he said: "To have (true and sincere) faith in Allah Almighty." He said: "Which is next?" he said: " To practice Jihad in Allah's Cause." He asked again: "Which is next?" he said: "To perform Hajj (with sincerity and in accordance with the principles of Islam in order to be) accepted (by Allah Almighty)."

[18] The Degree Received By A Fighter In The Cause Of Allah

3128- It is narrated on the authority of Abu Sa'id Al-Khudri that The Messenger of Allah "Allah's blessing and peace be upon him" Said: "O Abu Sa'id! He, who accepts Allah as his Lord, Islam as his religion, and Muhammad as his Prophet, the Garden is assured to him." Abu Sa'id admired it and said: "Repeat it to me O Messenger of Allah!" he did accordingly. Then, It is narrated on the authority of Abu Dharr that he asked The Messenger of Allah "Allah's blessing and peace be upon him": "Which deed is the best?" he said: "To have (true and sincere) faith in Allah Almighty, and practice Jihad in Allah's Cause." He further said: "There is a further deed, with which a servant is promoted one hundred degrees in the Garden, the distance between each two of which is as long as what is between the heaven and the earth." He said: "What is it O Messenger of Allah?" he said: "It is to practice Jihad in Allah's Cause! It is to practice Jihad in Allah's Cause."

3129- It is narrated on the authority of Abu Ad-Darda' that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who establishes obligatory prayer, and practices regular charity, and dies,

الْخَاشِعِ الرَّاكِعِ السَّاجِدِ».

(17) ـ ما يَعْدِلُ الجِهَادَ في سَبِيلِ الله عزّ وجلّ

3125 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا حَمَّادٌ قَالَ: حَدَّثَنَا هَمَّامٌ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جُحَادَةَ قَالَ: حَدَّثَنِي أَبُو حُصَيْنٍ أَنَّ ذَكْوَانَ حَدَّثَهُ أَنَّ أَبَا هُرَيْرَةَ حَدَّثَهُ قَالَ: جَاءَ رَجُلٌ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: دُلَّنِي عَلَى عَمَلٍ يَعْدِلُ الْجِهَادَ قَالَ: **«لاَ أَجِدُهُ هَلْ تَسْتَطِيعُ إِذَا خَرَجَ الْمُجَاهِدُ تَدْخُلُ مَسْجِداً فَتَقُومُ لاَ تَفْتُرُ وَتَصُومُ لاَ تُفْطِرُ؟»** قَالَ: مَنْ يَسْتَطِيعُ ذٰلِكَ؟.

3126 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ عَنْ شُعَيْبٍ عَنِ اللَّيْثِ عَنْ عُبَيْدِ ٱللَّهِ بْنِ أَبِي جَعْفَرٍ قَالَ: أَخْبَرَنِي عُرْوَةُ عَنْ أَبِي مُرَاوِحٍ عَنْ أَبِي ذَرٍّ: أَنَّهُ سَأَلَ نَبِيَّ ٱللَّهِ ﷺ أَيُّ الْعَمَلِ خَيْرٌ؟ قَالَ: **«إِيمَانٌ بِاللَّهِ وَجِهَادٌ فِي سَبِيلِ ٱللَّهِ عَزَّ وَجَلَّ»**.

3127 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ عَنِ ٱبْنِ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ قَالَ: سَأَلَ رَجُلٌ رَسُولَ ٱللَّهِ ﷺ أَيُّ الأَعْمَالِ أَفْضَلُ؟ قَالَ: **«إِيمَانٌ بِاللَّهِ»** قَالَ: ثُمَّ مَاذَا؟ قَالَ: **«الْجِهَادُ فِي سَبِيلِ اللَّهِ»** قَالَ: ثُمَّ مَاذَا؟ قَالَ: **«حَجٌّ مَبْرُورٌ»**.

(18) ـ دَرَجَةُ المُجَاهِدِ في سَبِيلِ الله عزّ وجلّ

3128 ـ قال الحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ قَالَ: حَدَّثَنِي أَبُو هَانِىءٍ عَنْ أَبِي عَبْدِ الرَّحْمٰنِ الْحُبُلِيِّ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«يَا أَبَا سَعِيدٍ مَنْ رَضِيَ بِاللَّهِ رَبّاً وَبِالإِسْلاَمِ دِيناً وَبِمُحَمَّدٍ نَبِيّاً وَجَبَتْ لَهُ الْجَنَّةُ»** قَالَ: فَعَجِبَ لَهَا أَبُو سَعِيدٍ قَالَ: أَعِدْهَا عَلَيَّ يَا رَسُولَ ٱللَّهِ فَفَعَلَ ثُمَّ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«وَأُخْرَى يُرْفَعُ بِهَا الْعَبْدُ مِائَةَ دَرَجَةٍ فِي الْجَنَّةِ مَا بَيْنَ كُلِّ دَرَجَتَيْنِ كَمَا بَيْنَ السَّمَاءِ وَالأَرْضِ»** قَالَ: وَمَا هِيَ يَا رَسُولَ ٱللَّهِ؟ قَالَ: **«الْجِهَادُ فِي سَبِيلِ ٱللَّهِ الْجِهَادُ فِي سَبِيلِ ٱللَّهِ»**.

3129 ـ أَخْبَرَنَا هَارُونُ بْنُ مُحَمَّدِ بْنِ بَكَّارِ بْنِ بِلاَلٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عِيسَى بْنِ الْقَاسِمِ بْنِ سُمَيْعٍ قَالَ: حَدَّثَنَا زَيْدُ بْنُ وَاقِدٍ قَالَ: حَدَّثَنِي بُسْرُ بْنُ عُبَيْدِ ٱللَّهِ عَنْ أَبِي إِدْرِيسَ الْخَوْلاَنِيِّ عَنْ أَبِي الدَّرْدَاءِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ أَقَامَ الصَّلاَةَ**

without ascribing anything to Allah (in service), it is incumbent upon Allah Almighty to forgive him, whether he forsakes his abode (in Allah's Cause) or dies in the very place where he was born." We said: "O Messenger of Allah! Should we not tell the people about that, so that they would receive glad tidings?" he said: "No doubt, the Garden has one hundred degrees, each of which is (as far from the other) as the heaven from the earth, which Allah Almighty has prepared for the fighters in His Cause; and But for fear that I would make things difficult for the faithful believers, and I have no convenience to afford for carrying them, and they will not be pleased to remain behind me I would never have remained behind any detachment setting out in the Cause of Allah. I like to fight in the Way of Allah and then be killed; and then be brought to life (to fight in the Way of Allah once again) and be killed (on account of the superiority of the martyrdom in Allah's Cause)."

[19] The Reward Of Such As Embraces Islam, Migrates And Practices Jihad (In The Cause Of Allah Almighty)

3130- It is narrated on the authority of Fadalah Ibn Ubaid that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "I guarantee a house in the surroundings of the Garden and another house in the middle portion of the Garden to such as has trust in me, embraces Islam, and migrates (in Allah's Cause); and I guarantee a house in the surroundings of the Garden, another house in the middle portion of the Garden, and a third house in the highest mansions of the Garden to such as has trust in me, embraces Islam, and practices Jihad in the Cause of Allah: whoever does so, never leaves a way to good (but that he will follow it), as well as he never leaves a way to flee from evil (but that he will follow it)."

3131- It is narrated on the authority of Sabrah Ibn Abu Fakih that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "Indeed, Satan sat on the different ways of mankind: he sat in wait for him on the way of Islam and said to him: "Should you embrace Islam, and leave your religion, the religion of your fathers and the fathers of your father?" but he disobeyed him and embraced Islam. He sat in wait for him on the way of migration, and said to him: "Should you forsake your homeland and sky? Indeed the example of an emigrant is like the example of a horse that is tied in a rope." But he disobeyed him and migrated (in Allah's Cause). He sat in wait for him on the way of Jihad and said: "Should you strive with your own soul and property, and fight, and then you would be killed, with the result that your wife would be married (by others than you), and your property would be distributed?" he disobeyed him, and practiced

وَآتَى الزَّكَاةَ وَمَاتَ لاَ يُشْرِكُ بِاللَّهِ شَيْئاً كَانَ حَقاً عَلَى ٱللَّهِ عَزَّ وَجَلَّ أَنْ يَغْفِرَ لَهُ هَاجِراً وَمَاتَ فِي مَوْلِدِهِ» فَقُلْنَا: يَا رَسُولَ ٱللَّهِ أَلاَ نُخْبِرُ بِهَا النَّاسَ فَيَسْتَبْشِرُوا بِهَا؟ فَقَالَ: «إِنَّ لِلْجَنَّةِ مَائَةَ دَرَجَةٍ بَيْنَ كُلِّ دَرَجَتَيْنِ كَمَا بَيْنَ السَّمَاءِ وَالأَرْضِ أَعَدَّهَا ٱللَّهُ لِلْمُجَاهِدِينَ فِي سَبِيلِهِ ولَوْلاَ أَنْ أَشُقَّ عَلَى الْمُؤْمِنِينَ وَلاَ أَجِدُ مَا أَحْمِلُهُمْ عَلَيْهِ وَلاَ تَطِيبُ أَنْفُسُهُمْ أَنْ يَتَخَلَّفُوا بَعْدِي مَا قَعَدْتُ خَلْفَ سَرِيَّةٍ وَلَوَدِدْتُ أَنِّي أُقْتَلُ ثُمَّ أُحْيَا ثُمَّ أُقْتَلُ».

(19) ـ ما لِمَنْ أَسْلَمَ وهَاجَرَ وجَاهَدَ

3130 ـ قال الْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي أَبُو هَانِي عَنْ عَمْرِو بْنِ مَالِكٍ الْجَنْبِيِّ أَنَّهُ سَمِعَ فَضَالَةَ بْنَ عُبَيْدٍ يَقُولُ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «أَنَا زَعِيمٌ» وَالزَّعِيمُ الْحَمِيلُ «لِمَنْ آمَنَ بِي وَأَسْلَمَ وَهَاجَرَ بِبَيْتٍ فِي رَبَضِ الْجَنَّةِ وَبِبَيْتٍ فِي وَسَطِ الْجَنَّةِ وَأَنَا زَعِيمٌ لِمَنْ آمَنَ بِي وَأَسْلَمَ وَجَاهَدَ فِي سَبِيلِ ٱللَّهِ بِبَيْتٍ فِي رَبَضِ الْجَنَّةِ وَبِبَيْتٍ فِي وَسَطِ الْجَنَّةِ وَبِبَيْتٍ فِي أَعْلَى غُرَفِ الْجَنَّةِ مَنْ فَعَلَ ذٰلِكَ فَلَمْ يَدَعْ لِلْخَيْرِ مَطْلَباً وَلاَ مِنَ الشَّرِّ مَهْرَباً يَمُوتُ حَيْثُ شَاءَ أَنْ يَمُوتَ».

3131 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا أَبُو النَّضْرِ هَاشِمُ بْنُ الْقَاسِمِ قَالَ: حَدَّثَنَا أَبُو عَقِيلٍ عَبْدُ ٱللَّهِ بْنُ عَقِيلٍ قَالَ: حَدَّثَنَا مُوسَى بْنُ الْمُسَيَّبِ عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ عَنْ سَبْرَةَ بْنِ أَبِي فَاكِهٍ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «إِنَّ الشَّيْطَانَ قَعَدَ لابْنِ آدَمَ بِأَطْرُقِهِ فَقَعَدَ لَهُ بِطَرِيقِ الإِسْلاَمِ فَقَالَ: تُسْلِمُ وَتَذَرُ دِينَكَ وَدِينَ آبَائِكَ وَآبَاءِ أَبِيكَ فَعَصَاهُ فَأَسْلَمَ ثُمَّ قَعَدَ لَهُ بِطَرِيقِ الْهِجْرَةِ فَقَالَ: تُهَاجِرُ وَتَدَعُ أَرْضَكَ وَسَمَاءَكَ وَإِنَّمَا مَثَلُ الْمُهَاجِرِ كَمَثَلِ الْفَرَسِ فِي الطِّوَلِ فَعَصَاهُ فَهَاجَرَ ثُمَّ قَعَدَ لَهُ بِطَرِيقِ الْجِهَادِ فَقَالَ: تُجَاهِدُ فَهُوَ جَهْدُ النَّفْسِ وَالْمَالِ فَتُقَاتِلُ فَتُقْتَلُ فَتُنْكَحُ الْمَرْأَةُ وَيُقْسَمُ

Jihad. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever does so, it is incumbent upon Allah to admit him to the Garden; and whoever is killed (in Allah's Cause), it is incumbent upon Allah Almighty to admit him to the Garden; and whoever is drowned, it is incumbent upon Allah to admit him to the Garden; and whoever has his neck broken (because of his falling down) from his riding mount (in Allah's Way) it is incumbent upon Allah Almighty to admit him to the Garden."

[20] The Excellence Of Such As Spends A Pair Of Things In The Cause Of Allah Almighty

3132- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Whoever gives in charity a pair (of things or property) in Allah's Cause, will be called from (the gates of) Paradise and will be addressed: "O slave of Allah! That (gate) is better (for you, so come and enter through it)." So, whoever was amongst the people who used to offer their prayers, would be called from the gate of the prayer; whoever was amongst the people who used to participate in Jihad, would be called from the gate of Jihad; whoever was amongst those who used to give in charity, would be called from the gate of charity; and whoever was amongst those who used to observe fasts, would be called from the gate of Ar-Rayyan." Abu Bakr As-Siddiq said: "O Messenger of Allah! No distress or need will befall him who will be called from (anyone of) those gates. Will there be any one who will be called from all these gates?" The Prophet "Allah's blessing and peace be upon him" replied: "Yes, and I hope you will be one of them."

[21] Such As Fights In Order That Allah's Word Should Be Superior

3133- It is narrated on the authority of Abu Musa Al-Ash'ari that he said: A desert Arab came to the Prophet "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! One fights that he may be remembered, another fights for the spoils of war; and a man fights that he may see his (high) position (achieved as a result of his valor in fighting). Which of these is fighting in the cause of Allah?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as fights in order that the word of Allah should be superior is a fighter in the way of Allah Almighty."

[22] Such As Fights In Order To Be Said That So And So Is Brave

3134- It is narrated on the authority of Sulaiman Ibn Yasar that he said: The people dispersed from around Abu Hurairah, and a man from Sham said to him: "O Sheikh, narrate (to us) a Hadith you heard from The Messenger of Allah "Allah's blessing and peace be upon him"." He said: Well. I heard The

الْمَالُ فَعَصَاهُ فَجَاهَدَ» فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «فَمَنْ فَعَلَ ذٰلِكَ كَانَ حَقًّا عَلَى ٱللَّهِ عَزَّ وَجَلَّ أَنْ يُدْخِلَهُ الْجَنَّةَ وَمَنْ قُتِلَ كَانَ حَقًّا عَلَى ٱللَّهِ عَزَّ وَجَلَّ أَنْ يَدْخِلَهُ الْجَنَّةَ وَإِنْ غَرِقَ كَانَ حَقًّا عَلَى ٱللَّهِ أَنْ يُدْخِلَهُ الْجَنَّةَ أَوْ وَقَصَتْهُ دَابَّتُهُ كَانَ حَقاً عَلَى ٱللَّهِ أَنْ يُدْخِلَهُ الْجَنَّةَ».

(20) ـ بابُ فَضْلِ مَنْ أَنْفَقَ زَوْجَيْنِ في سَبِيلِ الله عزّ وجلّ

3132 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعْدِ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَمِّي قَالَ: حَدَّثَنَا أَبِي عَنْ صَالِحٍ عَنِ ٱبْنِ شِهَابٍ أَنَّ حُمَيْدَ بْنَ عَبْدِ ٱلرَّحْمٰنِ أَخْبَرَهُ أَنَّ أَبَا هُرَيْرَةَ كَانَ يُحَدِّثُ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«مَنْ أَنْفَقَ زَوْجَيْنِ فِي سَبِيلِ ٱللَّهِ نُودِيَ فِي الْجَنَّةِ يَا عَبْدَ ٱللَّهِ هٰذَا خَيْرٌ فَمَنْ كَانَ مِنْ أَهْلِ الصَّلاَةِ دُعِيَ مِنْ بَابِ الصَّلاَةِ وَمَنْ كَانَ مِنْ أَهْلِ الْجِهَادِ دُعِيَ مِنْ بَابِ الجِهَادِ وَمَنْ كَانَ مِنْ أَهْلِ الصَّدَقَةِ دُعِيَ مِنْ بَابِ الصَّدَقَةِ وَمَنْ كَانَ مِنْ أَهْلِ الصِّيَامِ دُعِيَ مِنْ بَابِ الرَّيَّانِ»** فَقَالَ أَبُو بَكْرٍ: يَا نَبِيَّ ٱللَّهِ مَا عَلَى الَّذِي يُدْعَى مِنْ تِلكَ الأَبْوَابِ كُلِّهَا مِنْ ضَرُورَةٍ هَلْ يُدْعَى أَحَدٌ مِنْ تِلْكَ الأَبْوَابِ كُلِّهَا؟ قَالَ: **«نَعَمْ وَأَرْجُو أَنْ تَكُونَ مِنْهُمْ»**.

(21) ـ مَنْ قَاتَلَ لتكونَ كَلِمَةُ الله هي العُلْيَا

3133 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ أَنَّ عَمْرو بْنَ مُرَّةَ أَخْبَرَهُمْ قَالَ: سَمِعْتُ أَبَا وَائِلٍ قَالَ: حَدَّثَنَا أَبُو مُوسَى الأَشْعَرِيُّ قَالَ: جَاءَ أَعْرَابِيٌّ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: الرَّجُلُ يُقَاتِلُ لِيُذْكَرَ وَيُقَاتِلُ لِيَغْنَمَ وَيُقَاتِلُ لِيُرَى مَكَانُهُ فَمَنْ فِي سَبِيلِ ٱللَّهِ؟ قَالَ: **«مَنْ قَاتَلَ لِتَكُونَ كَلِمَةُ ٱللَّهِ هِيَ الْعُلْيَا فَهُوَ فِي سَبِيلِ ٱللَّهِ عَزَّ وَجَلَّ»**.

(22) ـ مَنْ قَاتَلَ لِيُقَالَ فلانٌ جَرِيءٌ

3134 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: حَدَّثَنَا يُونُسُ بْنُ يُوسُفَ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ قَالَ: تَفَرَّقَ النَّاسُ عَنْ أَبِي هُرَيْرَةَ فَقَالَ لَهُ قَائِلٌ مِنْ أَهْلِ الشَّامِ: أَيُّهَا الشَّيْخُ حَدِّثْنِي حَدِيثاً سَمِعْتَهُ مِنْ رَسُولِ ٱللَّهِ ﷺ قَالَ:

Messenger of Allah "Allah's blessing and peace be upon him" having said: "The first of men (whose case) will be decided on the Day of Judgment will be three: a man who died as a martyr. He shall be brought and Allah will make him recount His blessings (which He had bestowed upon him) and he will recount them. Then Allah will say: "What did you do (to requite these blessings)?" He will say: "I fought for (the religion of) You until I died as a martyr." Allah will say: You have told a lie. You fought so that it would be said: 'so and so is a brave warrior'; and it was said." Then a decision will be passed against him that he will be dragged prone on his face and thrown into Hell. Then there will be brought a man who acquired knowledge which he taught (to others) and recited the Qur'an. He will be brought And Allah will make him recount His blessings and he will recount them. Then Allah will ask: "What did you do (to requite these blessings)?" He will say: "I acquired knowledge and spread it and recited the Qur'an seeking for Your pleasure." Allah will say: "You have told a lie. You acquired knowledge so that it would be said: 'So and so is a scholar' and you recited the Qur'an so that it might be said: 'He is a reciter' and it was said." Then a decision will be passed against him that he shall be dragged prone on his face and thrown into the Fire. Then there will be brought a man whom Allah had made abundantly rich and had granted every kind of wealth. He will be brought and Allah will make him recount His blessings and he will recount them. Allah will then ask: "What did you do (to requite these blessings)?" He will say: "I spent money in every way in which You wished that it should be spent." Allah will say: "You have told a lie. You did so that it might be said about You: 'He is a generous man' and it was said." Then a decision will be passed against him that he will be dragged prone on his face and thrown into Hell."

[23] When One Fights In The Cause Of Allah, With The Intention To Gain Only A Rope From His Fight

3135- It is narrated on the authority of Yahya Ibn Al-Walid Ibn Ubadah Ibn As-Samit from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who fights in the Cause of Allah with the intention to gain only a rope from his fight, will have (the reward of) only what he intends."

3136- It is narrated on the authority of Ubadah Ibn As-Samit that The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who fights with the intention to gain only a rope from his fight, will have (the reward of) only what he intends."

نَعَمْ سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «أَوَّلُ النَّاسِ يُقْضَى لَهُمْ يَوْمَ الْقِيَامَةِ ثَلاَثَةٌ: رَجُلٌ ٱسْتُشْهِدَ فَأُتِيَ بِهِ فَعَرَّفَهُ نِعَمَهُ فَعَرَفَهَا، قَالَ: فَمَا عَمِلْتَ فِيهَا؟ قَالَ: قَاتَلْتُ فِيكَ حَتَّى ٱسْتُشْهِدْتُ قَالَ: كَذَبْتَ وَلٰكِنَّكَ قَاتَلْتَ لِيُقَالَ فُلاَنٌ جَرِيءٌ فَقَدْ قِيلَ، ثُمَّ أُمِرَ بِهِ فَسُحِبَ عَلَى وَجْهِهِ حَتَّى أُلْقِيَ فِي النَّارِ، وَرَجُلٌ تَعَلَّمَ الْعِلْمَ وَعَلَّمَهُ وَقَرَأَ الْقُرْآنَ فَأُتِيَ بِهِ فَعَرَّفَهُ نِعَمَهُ فَعَرَفَهَا، قَالَ: فَمَا عَمِلْتَ فِيهَا؟ قَالَ: تَعَلَّمْتُ الْعِلْمَ وَعَلَّمْتُهُ وَقَرَأْتُ فِيكَ الْقُرْآنَ، قَالَ: كَذَبْتَ وَلٰكِنَّكَ تَعَلَّمْتَ الْعِلْمَ لِيُقَالَ عَالِمٌ وَقَرَأْتَ الْقُرْآنَ لِيُقَالَ قَارِىءٌ فَقَدْ قِيلَ، ثُمَّ أُمِرَ بِهِ فَسُحِبَ عَلَى وَجْهِهِ حَتَّى أُلْقِيَ فِي النَّارِ وَرَجُلٌ وَسَّعَ ٱللَّهُ عَلَيْهِ وَأَعْطَاهُ مِنْ أَصْنَافِ الْمَالِ كُلِّهِ فَأُتِيَ بِهِ فَعَرَّفَهُ نِعَمَهُ فَعَرَفَهَا فَقَالَ: مَا عَمِلْتَ فِيهَا؟ قَالَ: مَا تَرَكْتُ مِنْ سَبِيلٍ تُحِبُّ» قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: وَلَمْ أَفْهَمْ تُحِبُّ «كَمَا أَرَدْتُ أَنْ يُنْفَقَ فِيهَا إِلاَّ أَنْفَقْتُ فِيهَا لَكَ قَالَ: كَذَبْتَ وَلٰكِنْ لِيُقَالَ إِنَّهُ جَوَادٌ فَقَدْ قِيلَ ثُمَّ أُمِرَ بِهِ فَسُحِبَ عَلَى وَجْهِهِ فَأُلْقِيَ فِي النَّارِ».

(23) ـ مَنْ غَزَا فِي سَبِيلِ الله ولم يَنْوِ مِنْ غَزَاتِهِ إلا عِقَالاً

3135 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ جَبَلَةَ بْنِ عَطِيَّةَ عَنْ يَحْيَى بْنِ الْوَلِيدِ بْنِ عُبَادَةَ بْنِ الصَّامِتِ عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «مَنْ غَزَا فِي سَبِيلِ ٱللَّهِ وَلَمْ يَنْوِ إِلاَّ عِقَالاً فَلَهُ مَا نَوَى».

3136 ـ أَخْبَرَنِي هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ قَالَ: أَنْبَأَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ جَبَلَةَ بْنِ عَطِيَّةَ عَنْ يَحْيَى بْنِ الْوَلِيدِ عَنْ عُبَادَةَ بْنِ الصَّامِتِ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «مَنْ غَزَا وَهُوَ لاَ يُرِيدُ إِلاَّ

[24] When One Fights Seeking For Reward And Celebration

3137- It is narrated on the authority of Abu Umamah Al-Bahili that he said: A man came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "Tell me of a man who fights seeking reward and celebration: what is the matter with him?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "No reward is assured to him." He repeated the same question thrice, and every time The Messenger of Allah "Allah's blessing and peace be upon him" said: "There will be no reward for him." He further said: "To be sure, Allah Almighty never accepts a deed unless it is done for Him sincerely, and with which His (Allah's) Countenance is sought."

[25] The Reward Of Such As Fights In Allah's Cause (And His Role Is Even As Trivial As A Small Quantity Of Milk That Is) Between Two Milkings Of A She-Camel

3138- It is narrated on the authority of Mu'adh Ibn Jabal that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who fights in the Cause of Allah (and his role is even as trivial as a small quantity of milk that is) between two milkings of a she-camel, the Garden is assured to him; and he who asks Allah to endow him with martyrdom, sincerely and truthfully, he will receive the reward of a martyr, whether he dies (on his bed) or is killed (in war); and he, who is wounded or harmed by a thorn (in his foot while walking) in the Cause of Allah, on the Day of Judgement, it will come with the most abundant (bleeding) it has ever been, having the colour of saffron, and the smell of musk; and he, who is affected by sores in his body in the Cause of Allah, he will then be stamped with the stamp of martyrs."

[26] The Reward Of Such As Shoots An Arrow In Allah's Cause

3139- It is narrated on the authority of Shurahbil Ibn As-Samt that he said to Amr Ibn Abasah: "O Amr! Relate to us a narration you heard from the Messenger of Allah "Allah's blessing and peace be upon him"." He said: "I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who (keeps fighting until he) becomes hoary-headed in the Cause of Allah Almighty, it will be a (source of) light for him on the Day of Judgement; and he, who shoots an arrow in the Cause of Allah Almighty, no matter it might or might not reach the enemy, it will be for him (in reward) as the emancipation of a slave; and he who emancipates a believing slave, it will be his ransom from the fire (of Hell) portion by portion of body.""

3140- It is narrated on the authority of Abu Najih As-Salami that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who causes his arrow to reach (the enemies), in the Way of Allah it will be a degree for him in the Garden." On that day, I caused

(24) ـ مَنْ غَزَا يَلْتَمِسُ الأَجْرَ والذِّكْرَ

3137 ـ أَخْبَرَنَا عِيسَى بْنُ هِلاَلٍ الْحِمْصِيُّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ حِمْيَرٍ قَالَ: حَدَّثَنَا مُعَاوِيَةُ بْنُ سَلاَّمٍ عَنْ عِكْرِمَةَ بْنِ عَمَّارٍ عَنْ شَدَّادٍ أَبِي عَمَّارٍ عَنْ أَبِي أُمَامَةَ الْبَاهِلِيِّ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: أَرَأَيْتَ رَجُلاً غَزَا يَلْتَمِسُ الأَجْرَ وَالذِّكْرَ مَا لَهُ؟ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ شَيْءَ لَهُ» فَأَعَادَهَا ثَلاَثَ مَرَّاتٍ يَقُولُ لَهُ رَسُولُ ٱللَّهِ ﷺ لاَ شَيْءَ لَهُ ثُمَّ قَالَ: «إِنَّ ٱللَّهَ لاَ يَقْبَلُ مِنَ الْعَمَلِ إِلاَّ مَا كَانَ لَهُ خَالِصاً وَٱبْتُغِيَ بِهِ وَجْهُهُ».

(25) ـ ثَوَابُ مَنْ قَاتَلَ فِي سَبِيلِ الله فَوَاقَ نَاقَةٍ

3138 ـ أَخْبَرَنَا يُوسُفُ بْنُ سَعِيدٍ قَالَ: سَمِعْتُ حَجَّاجاً أَنْبَأَنَا ٱبْنُ جُرَيْجٍ قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ مُوسَى قَالَ: حَدَّثَنَا مَالِكُ بْنُ يُخَامِرَ أَنَّ مُعَاذَ بْنَ جَبَلٍ حَدَّثَهُمْ أَنَّهُ سَمِعَ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «مَنْ قَاتَلَ فِي سَبِيلِ ٱللَّهِ عَزَّ وَجَلَّ مِنْ رَجُلٍ مُسْلِمٍ فَوَاقَ نَاقَةٍ وَجَبَتْ لَهُ الْجَنَّةُ وَمَنْ سَأَلَ ٱللَّهَ الْقَتْلَ مِنْ عِنْدِ نَفْسِهِ صَادِقاً ثُمَّ مَاتَ أَوْ قُتِلَ فَلَهُ أَجْرُ شَهِيدٍ وَمَنْ جُرِحَ جُرْحاً فِي سَبِيلِ ٱللَّهِ أَوْ نُكِبَ نَكْبَةً فَإِنَّهَا تَجِيءُ يَوْمَ الْقِيَامَةِ كَأَغْزَرِ مَا كَانَتْ لَوْنُهَا كَالزَّعْفَرَانِ وَرِيحُهَا كَالْمِسْكِ وَمَنْ جُرِحَ جُرْحاً فِي سَبِيلِ ٱللَّهِ فَعَلَيْهِ طَابِعُ الشُّهَدَاءِ».

(26) ـ ثَوَابُ مَنْ رَمَى بِسَهْمٍ فِي سَبِيلِ الله عزّ وجلّ

3139 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرٍ قَالَ: حَدَّثَنَا بَقِيَّةُ عَنْ صَفْوَانَ قَالَ: حَدَّثَنِي سُلَيْمُ بْنُ عَامِرٍ عَنْ شُرَحْبِيلَ بْنِ السِّمْطِ أَنَّهُ قَالَ لِعَمْرِو بْنِ عَبَسَةَ: يَا عَمْرُو حَدِّثْنَا حَدِيثاً سَمِعْتَهُ مِنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «مَنْ شَابَ شَيْبَةً فِي سَبِيلِ ٱللَّهِ تَعَالَى كَانَتْ لَهُ نُوراً يَوْمَ الْقِيَامَةِ وَمَنْ رَمَى بِسَهْمٍ فِي سَبِيلِ ٱللَّهِ تَعَالَى بَلَغَ الْعَدُوَّ أَوْ لَمْ يَبْلُغْ كَانَ لَهُ كَعِتْقِ رَقَبَةٍ وَمَنْ أَعْتَقَ رَقَبَةً مُؤْمِنَةً كَانَتْ لَهُ فِدَاءَهُ مِنَ النَّارِ عُضْواً بِعُضْوٍ».

3140 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا هِشَامٌ قَالَ: حَدَّثَنَا قَتَادَةُ عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ عَنْ مَعْدَانَ بْنِ أَبِي طَلْحَةَ عَنْ أَبِي نُجَيْحٍ السُّلَمِيِّ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «مَنْ بَلَغَ بِسَهْمٍ فِي سَبِيلِ ٱللَّهِ فَهُوَ لَهُ دَرَجَةٌ فِي الْجَنَّةِ».

sixteen arrows to reach (the enemies). He further said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who shoots an arrow in the Cause of Allah, it will be equal (in reward) to emancipating a slave."

3141- It is narrated on the authority of Shurahbil Ibn As-Samt that he said to Amr Ibn Murrah: "O Amr! Relate to us a narration you heard from the Messenger of Allah "Allah's blessing and peace be upon him", and beware (of adding or reducing anything even by way of forgetfulness)." He said: "I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who (keeps fighting until he) becomes hoary-headed in the Cause of Allah Almighty, it will be a (source of) light for him on the Day of Judgement."" He further said to him: " Relate to us a narration you heard from the Messenger of Allah "Allah's blessing and peace be upon him", and beware (of adding or reducing anything even by way of forgetfulness)." He said: "I heard him having said: "Shoot (arrows at your enemies): whoever has his arrow reach the enemy, Allah Almighty raises him a degree (in the Garden) with it." Ibn An-Nahham said: "O Messenger of Allah! what is the degree?" he said: "Behold! It is not like the threshold of (the house of) your mother, but (the distance) between each two degrees is (as long as to be covered in) one hundred years.""

3142- It is narrated on the authority of Shurahbil Ibn As-Samt that he said: I said to Amr Ibn Abasah: "O Amr! Relate to us a narration you heard from the Messenger of Allah "Allah's blessing and peace be upon him", in which there is no mistake nor anything forgotten." He said: "I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who shoots an arrow in the Cause of Allah Almighty, and it reaches the enemy, no matter it might or might not affect him, it will be for him (in reward) as the emancipation of a slave; and he who emancipates a Muslim slave, each portion of his (the slave's) body will be the ransom of each portion of his (the manumitter's) body from the fire of Hell; and he, who (keeps fighting until he) becomes hoary-headed in the Cause of Allah Almighty, it will be a (source of) light for him on the Day of Judgement.""

3143- It is narrated on the authority of Uqbah Ibn Amir that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah Almighty admits three persons to the Garden for only a single arrow: its maker, who expects good (and reward) from making it, its shooter, and its provider (who gives it to the shooter)."

فَبَلَّغْتُ يَوْمَئِذٍ سِتَّةَ عَشَرَ سَهْماً قَالَ: وَسَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**مَنْ رَمَى بِسَهْمٍ فِي سَبِيلِ اللَّهِ فَهُوَ عِدْلُ مُحَرَّرٍ**».

3141 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ قَالَ: حَدَّثَنَا الأَعْمَشُ عَنْ عَمْرِو بْنِ مُرَّةَ عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ عَنْ شُرَحْبِيلَ بْنِ السِّمْطِ قَالَ لِكَعْبِ بْنِ مُرَّةَ: يَا كَعْبُ حَدِّثْنَا عَنْ رَسُولِ ٱللَّهِ ﷺ وَاحْذَرْ قَالَ: سَمِعْتُهُ يَقُولُ: «**مَنْ شَابَ شَيْبَةً فِي الإِسْلاَمِ فِي سَبِيلِ ٱللَّهِ كَانَتْ لَهُ نُوراً يَوْمَ الْقِيَامَةِ**». قَالَ لَهُ: حَدِّثْنَا عَنِ النَّبِيِّ ﷺ وَاحْذَرْ قَالَ: سَمِعْتُهُ يَقُولُ: «**ارْمُوا مَنْ بَلَغَ الْعَدُوَّ بِسَهْمٍ رَفَعَهُ ٱللَّهُ بِهِ دَرَجَةً**» قَالَ ابْنُ النَّحَّامِ: يَا رَسُولَ ٱللَّهِ وَمَا الدَّرَجَةُ؟ قَالَ: «**أَمَا إِنَّهَا لَيْسَتْ بِعَتَبَةِ أُمِّكَ وَلٰكِنْ مَا بَيْنَ الدَّرَجَتَيْنِ مِائَةُ عَامٍ**».

3142 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا الْمُعْتَمِرُ قَالَ: سَمِعْتُ خَالِداً يَعْنِي ٱبْنَ زَيْدٍ أَبَا عَبْدِ الرَّحْمٰنِ الشَّامِيَّ يُحَدِّثُ عَنْ شُرَحْبِيلَ بْنِ السِّمْطِ عَنْ عَمْرِو بْنِ عَبَسَةَ قَالَ: قُلْتُ يَا عَمْرُو بْنَ عَبَسَةَ حَدِّثْنَا حَدِيثاً سَمِعْتَهُ مِنْ رَسُولِ ٱللَّهِ ﷺ لَيْسَ فِيهِ نِسْيَانٌ وَلاَ تَنَقُّصٌ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**مَنْ رَمَى بِسَهْمٍ فِي سَبِيلِ ٱللَّهِ فَبَلَغَ الْعَدُوَّ أَخْطَأَ أَوْ أَصَابَ كَانَ لَهُ كَعِدْلِ رَقَبَةٍ وَمَنْ أَعْتَقَ رَقَبَةً مُسْلِمَةً كَانَ فِدَاءُ كُلِّ عُضْوٍ مِنْهُ عُضْواً مِنْهُ مِنْ نَارِ جَهَنَّمَ وَمَنْ شَابَ شَيْبَةً فِي سَبِيلِ ٱللَّهِ كَانَتْ لَهُ نُوراً يَوْمَ الْقِيَامَةِ**»

3143 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدٍ عَنِ الْوَلِيدِ عَنِ ٱبْنِ جَابِرٍ عَنْ أَبِي سَلاَّمٍ الأَسْوَدِ عَنْ خَالِدِ بْنِ يَزِيدَ عَنْ عُقْبَةَ بْنِ عَامِرٍ عَنِ النَّبِيِّ ﷺ قَالَ: «**إِنَّ ٱللَّهَ عَزَّ وَجَلَّ يُدْخِلُ ثَلاَثَةَ نَفَرٍ الْجَنَّةَ بِالسَّهْمِ الْوَاحِدِ صَانِعَهُ يَحْتَسِبُ فِي صُنْعِهِ الْخَيْرَ وَالرَّامِي بِهِ وَمُنَبِّلَهُ**».

[27] When One Is Wounded In The Cause Of Allah Almighty

3144- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "No one is wounded in the Cause of Allah, and Allah Almighty knows best who is really wounded in His Cause, but that on the Day of Judgement, he will come with his injury bleeding, having the colour of blood and the smell of musk."

3145- It is narrated on the authority of Abdullah Ibn Tha'labah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Shroud those (martyrs) with their blood, for indeed, no one is wounded in the Cause of Allah but that on the Day of Judgement, he will come with his injury bleeding, having the colour of blood and the smell of musk."

[28] What Is Said By Such As Is Pierced In The Cause Of Allah

3146- It is narrated on the authority of Jabir Ibn Abdullah that he said: When it was the day of (the holy battle of) Uhud, the people turned their backs (and retreated), and there remained only the Messenger of Allah "Allah's blessing and peace be upon him" in twelve men from amongst the Ansar, in addition to Talhah Ibn Ubaidullah. The pagans caught them, and the Messenger of Allah "Allah's blessing and peace be upon him" turned and said: "Who should avert the people (from us)?" Talhah Ibn Ubaidullah said: "It is I O Messenger of Allah!" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Be firm in your place where you are!" a man from amongst the Ansar said: "Then, it is I O Messenger of Allah!" he said: "It is you." He fought until he was killed. the Messenger of Allah "Allah's blessing and peace be upon him" turned and behold! There were still the pagans! On that he said: "Who should avert the people (from us)?" Talhah Ibn Ubaidullah said: "It is I O Messenger of Allah!" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Be firm in your place where you are!" a man from amongst the Ansar said: "Then, it is I O Messenger of Allah!" he said: "It is you." He fought in the same way (of strength and fierceness) as the previous one until he was killed. He kept saying so and every time one from amongst the Ansar came out and fought in the same way (of strength and fierceness) as the one prior to him had done until (all of them were killed and) there remained only the Messenger of Allah "Allah's blessing and peace be upon him" and Talhah Ibn Ubaidullah. the Messenger of Allah "Allah's blessing and peace be upon him" said: "Who should avert the people (from us)?" Talhah said: "It is I." he fought in the same way (of strength and fierceness) as the eleven ones who preceded him had done until his hand was struck, and his fingers cut off. He said: "Hass!" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Had you said 'In

(27) ـ بابُ مَنْ كُلِمَ في سَبِيلِ الله عزّ وجلّ

3144 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَبِي الزِّنَادِ عَنِ الأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ يُكْلَمُ أَحَدٌ فِي سَبِيلِ ٱللَّهِ وَٱللَّهُ أَعْلَمُ بِمَنْ يُكْلَمُ فِي سَبِيلِهِ إِلاَّ جَاءَ يَوْمَ الْقِيَامَةِ وَجُرْحُهُ يَثْعَبُ دَماً اللَّوْنُ لَوْنُ دَمٍ وَالرِّيحُ رِيحُ الْمِسْكِ**».

3145 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنِ ٱبْنِ الْمُبَارَكِ عَنْ مَعْمَرٍ عَنِ الزُّهْرِيِّ عَنْ عَبْدِ ٱللَّهِ بْنِ ثَعْلَبَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**زَمِّلُوهُمْ بِدِمَائِهِمْ فَإِنَّهُ لَيْسَ كَلْمٌ يُكْلَمُ فِي ٱللَّهِ إِلاَّ أَتَى يَوْمَ الْقِيَامَةِ جُرْحُهُ يَدْمَى لَوْنُهُ لَوْنُ دَمٍ وَرِيحُهُ رِيحُ الْمِسْكِ**».

(28) ـ ما يَقُولُ مَنْ يَطْعَنُهُ العَدُوُّ

3146 ـ أَخْبَرَنَا عَمْرُو بْنُ سَوَّادٍ قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يَحْيَى بْنُ أَيُّوبَ وَذَكَرَ آخَرَ قَبْلَهُ عَنْ عُمَارَةَ بْنِ غَزِيَّةَ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ قَالَ: لَمَّا كَانَ يَوْمُ أُحُدٍ وَوَلَّى النَّاسُ كَانَ رَسُولُ ٱللَّهِ ﷺ فِي نَاحِيَةٍ فِي ٱثْنَيْ عَشَرَ رَجُلاً مِنَ الأَنْصَارِ وَفِيهِمْ طَلْحَةُ بْنُ عُبَيْدُ ٱللَّهِ فَأَدْرَكَهُمُ الْمُشْرِكُونَ فَالْتَفَتَ رَسُولُ ٱللَّهِ ﷺ وَقَالَ: «**مَنْ لِلْقَوْمِ؟**» فَقَالَ طَلْحَةُ: أَنَا. قال رسول الله ﷺ: «**كَمَا أَنْتَ**». فَقَالَ رَجُلٌ مِنَ الأَنْصَارِ: أنا يا رَسُولَ اللَّهِ. فَقَالَ: «**أَنْتَ**». فَقَاتَلَ حَتَّى قُتِلَ ثُمَّ الْتَفَتَ فَإِذَا الْمُشْرِكُونَ فَقَالَ: «**مَنْ لِلْقَوْمِ؟**» فَقَالَ طَلْحَةُ: أَنَا. قَالَ: «**كَمَا أَنْتَ**»، فَقَالَ رَجُلٌ مِنَ الأَنْصَارِ: أَنَا. فَقَالَ: «**أَنْتَ**». فَقَاتَلَ حَتَّى قُتِلَ ثُمَّ لَمْ يَزَلْ يَقُولُ ذٰلِكَ وَيَخْرُجُ إِلَيْهِمْ رَجُلٌ مِنَ الأَنْصَارِ فَيُقَاتِلُ قِتَالَ مَنْ قَبْلَهُ حَتَّى يُقْتَلَ حَتَّى بَقِيَ رَسُولُ ٱللَّهِ ﷺ وَطَلْحَةُ بْنُ عُبَيْدُ ٱللَّهِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ لِلْقَوْمِ؟**» فَقَالَ طَلْحَةُ: أَنَا فَقَاتَلَ طَلْحَةُ قِتَالَ الأَحَدَ عَشَرَ حَتَّى ضُرِبَتْ يَدُهُ فَقُطِعَتْ أَصَابِعُهُ فَقَالَ: حَسِّ فَقَالَ

the Name of Allah', the angels would have raised you, while the people were looking." Then, Allah Almighty averted the pagans.

[29] When One Fights In The Cause Of Allah, And His Sword Returns To Him And Kills Him

3147- It is narrated on the authority of Salamah Ibn Al-Akwa' that he said: When it was the day of Khaibar my brother (Amir) fought so much fiercely and steadfastly beside the Messenger of Allah "Allah's blessing and peace be upon him", and his sword returned to him and killed him. Some of the companions of the Messenger of Allah "Allah's blessing and peace be upon him" argued about him with doubt (in his faith): "A man was killed with his weapon." Salamah said: Then, the Messenger of Allah "Allah's blessing and peace be upon him" returned from Khaibar, and on the way, I said to him: "O Messenger of Allah! Would you give me permission to recite some poetic verses to you?" the Messenger of Allah "Allah's blessing and peace be upon him" gave him permission, and Umar Ibn Al-Khattab said: "Be careful of what you are going to say!" I said: "By Allah, had it not been for Allah, we neither would have been guided, nor would we have given in charity, nor would we have prayed." the Messenger of Allah "Allah's blessing and peace be upon him" said: "You have told the truth." (I resumed) "So (O Allah), please send calmness upon us, and make our feet firm if we meet the enemy, as the pagans rebelled against us." When I finished my poetic verses the Messenger of Allah "Allah's blessing and peace be upon him" asked me: "Who has composed that?" I said: "My brother." the Messenger of Allah "Allah's blessing and peace be upon him" said: "Might Allah bestow mercy upon him." I said: "O Messenger of Allah! Some men are afraid of offering funeral prayer on him, saying: "He was killed with his weapon (i.e. he has committed suicide)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He died as patiently persevering fighter (in the Cause of Allah)." Ibn Shihab said: I asked a son belonging to Salamah Ibn Al-Akwa', who related to me a narration like this, with variation of wording, according to which the Messenger of Allah "Allah's blessing and peace be upon him" said: "They have told a lie. He died as constantly persistent fighter (in the Cause of Allah), and he will receive a double reward." He beckoned with both his fingers.

[30] When One Hopes To Be Killed In The Cause Of Allah

3148- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: " Had it not been for fear that I would make things difficult upon my nation, I would

رَسُولُ ٱللَّهِ ﷺ: «لَوْ قُلْتَ بِسْمِ ٱللَّهِ لَرَفَعَتْكَ الْمَلاَئِكَةُ وَالنَّاسُ يَنْظُرُونَ»، ثُمَّ رَدَّ ٱللَّهُ الْمُشْرِكِينَ.

(29) ـ بابُ مَنْ قَاتَلَ في سَبِيلِ الله فارْتَدَّ عليه سَيْفُهُ فَقَتَلَهُ

3147 ـ أَخْبَرَنَا عَمْرُو بْنُ سَوَّادٍ قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ وَعَبْدُ اللَّهِ ٱبْنَا كَعْبِ بْنِ مَالِكٍ أَنَّ سَلَمَةَ بْنَ الأَكْوَعِ قَالَ: لَمَّا كَانَ يَوْمُ خَيْبَرَ قَاتَلَ أَخِي قِتَالاً شَدِيداً مَعَ رَسُولِ ٱللَّهِ ﷺ فَٱرْتَدَّ عَلَيْهِ سَيْفُهُ فَقَتَلَهُ فَقَالَ أَصْحَابُ رَسُولِ ٱللَّهِ ﷺ فِي ذٰلِكَ وَشَكُّوا فِيهِ رَجُلٌ مَاتَ بِسِلاَحِهِ قَالَ سَلَمَةُ: فَقَفَلَ رَسُولُ ٱللَّهِ ﷺ مِنْ خَيْبَرَ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ أَتَأْذَنُ لِي أَنْ أَرْتَجِزَ بِكَ؟ فَأَذِنَ لَهُ رَسُولُ ٱللَّهِ ﷺ فَقَالَ عُمَرُ بْنُ الْخَطَّابِ رَضِيَ ٱللَّهُ عَنْهُ: أَعْلَمْ مَا تَقُولُ فَقُلْتُ:

وَٱللَّهِ لَوْلا ٱللَّهُ مَا ٱهْتَدَيْنَا ... وَلاَ تَصَدَّقْنَا وَلاَ صَلَّيْنَا

فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «صَدَقْتَ»

فَأَنْزِلَنْ سَكِينَةً عَلَيْنَا ... وَثَبِّتِ الأَقْدَامَ إِنْ لاَقَيْنَا

وَالْمُشْرِكُونَ قَدْ بَغَوْا عَلَيْنَا

فَلَمَّا قَضَيْتُ رَجَزِيَ قَالَ رَسُولُ ٱللَّهِ ﷺ: «مَنْ قَالَ هٰذَا؟» قُلْتُ: أَخِي قَالَ رَسُولُ ٱللَّهِ ﷺ: «يَرْحَمُهُ اللَّهُ» فَقُلْتُ: يَا رَسُولَ ٱللَّهِ وَٱللَّهِ إِنَّ نَاساً لَيَهَابُونَ الصَّلاَةَ عَلَيْهِ يَقُولُونَ رَجُلٌ مَاتَ بِسِلاَحِهِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «مَاتَ جَاهِداً مُجَاهِداً». قَالَ ٱبْنُ شِهَابٍ: ثُمَّ سَأَلْتُ ٱبْناً لِسَلَمَةَ بْنِ الأَكْوَعِ فَحَدَّثَنِي عَنْ أَبِيهِ مِثْلَ ذٰلِكَ غَيْرَ أَنَّهُ قَالَ: حِينَ قُلْتُ إِنَّ نَاساً لَيَهَابُونَ الصَّلاَةَ عَلَيْهِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «كَذَبُوا، مَاتَ جَاهِداً مُجَاهِداً فَلَهُ أَجْرُهُ مَرَّتَيْنِ» وَأَشَارَ بِأُصْبُعَيْهِ.

(30) ـ بابُ تَمَنِّي القَتْلِ في سَبِيلِ الله تعالى

3148 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى يَعْنِي ابْنَ سَعِيدٍ الْقَطَّانَ عَنْ يَحْيَى يَعْنِي ٱبْنَ سَعِيدٍ الأَنْصَارِيَّ قَالَ: حَدَّثَنِي ذَكْوَانُ أَبُو صَالِحٍ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «لَوْلاَ أَنْ أَشُقَّ عَلَى أُمَّتِي لَمْ أَتَخَلَّفْ عَنْ سَرِيَّةٍ وَلٰكِنْ لاَ يَجِدُونَ

never have remained behind any detachment setting out in the Cause of Allah, but I have no convenience to afford for carrying them, and they have no convenience to follow me, and they will not be pleased to remain behind me. I like to fight in the Way of Allah and then be killed; and then (be brought to life to) fight (in the Way of Allah once again) and be killed; and then (be brought to life to) fight and be killed (on account of the superiority of the martyrdom in Allah's Cause)."

3149- It is narrated on the authority of Abu Hurairah that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "By Him in Whose Hand is my soul! Had it not been for the fact that many believing men would not be pleased to remain behind me, and I have no means of transportation to carry them, I would not have remained behind any military expedition fighting in the Cause of Allah Almighty. By Him, in Whose Hand is my soul! I like to be killed in the Cause of Allah Almighty and then be given life, then be killed and then be given life, then be killed and then be given life, and then be killed (in the Cause of Allah)."

3150- It is narrated on the authority of Ibn Abu Amirah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no Muslim soul among the people, whose Lord takes (onto Him by death) and it likes to return to you even though it will have the world and all of what it contains, barring the martyr (in order to be killed once again in Allah's Cause)." Ibn Abu Amirah said: The Messenger of Allah "Allah's blessing and peace be upon him" further said: "To be killed in the Cause of Allah Almighty is much dearer to me than to have (as much in my possession) those of desert and cities."

[31] The Reward Of Such As Is Killed In Allah's Cause

3151- It is narrated on the authority of Jabir that he said: A man said on the day of (the holy battle of) Uhud: "Tell me: should I be killed in the Cause of Allah: where will I be?" he (the Prophet) said: "In the Garden." He then threw dates, which were in his hand, and fought until he was killed.

[32] When One Fights In Allah's Cause Even Though He Owes Debt

3152- It is narrated on the authority of Abu Hurairah that he said: A man came to The Messenger of Allah "Allah's blessing and peace be upon him" while he was delivering a sermon on the pulpit and said: "O Messenger of Allah! Should I fight in the way of Allah, while being steadfast, expecting the reward (from Allah), always facing the enemy in fight, and never turning my back to him: will my sins be plotted out by Allah from me?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Yes."

حَمُولَةً وَلاَ أَجِدُ مَا أَحْمِلُهُمْ عَلَيْهِ وَيَشُقُّ عَلَيْهِمْ أَنْ يَتَخَلَّفُوا عَنِّي وَلَوَدِدْتُ أَنِّي قُتِلْتُ فِي سَبِيلِ ٱللَّهِ ثُمَّ أُحْيِيتُ ثُمَّ قُتِلْتُ ثُمَّ أُحْيِيتُ ثُمَّ قُتِلْتُ» ثَلاَثاً.

3149 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدٍ قَالَ: حَدَّثَنَا أَبِي عَنْ شُعَيْبٍ عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنِي سَعِيدُ بْنُ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «وَالَّذِي نَفْسِي بِيَدِهِ لَوْلاَ أَنَّ رِجَالاً مِنَ الْمؤْمِنِينَ لاَ تَطِيبُ أَنْفُسُهُمْ بِأَنْ يَتَخَلَّفُوا عَنِّي وَلاَ أَجِدُ مَا أَحْمِلُهُمْ عَلَيْهِ مَا تَخَلَّفْتُ عَنْ سَرِيَّةٍ تَغْزُو فِي سَبِيلِ ٱللَّهِ وَالَّذِي نَفْسِي بِيَدِهِ لَوَدِدْتُ أَنِّي أُقْتَلُ فِي سَبِيلِ ٱللَّهِ ثُمَّ أُحْيَا ثُمَّ أُقْتَلُ ثُمَّ أُحْيَا ثُمَّ أُقْتَلُ».

3150 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا بَقِيَّةُ عَنْ بَحِيرِ بْنِ سَعْدٍ عَنْ خَالِدِ بْنِ مَعْدَانَ عَنْ جُبَيْرِ بْنِ نُفَيْرٍ عَنِ ٱبْنِ أَبِي عَمِيرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «مَا مِنَ النَّاسِ مِنْ نَفْسٍ مُسْلِمَةٍ يَقْبِضُهَا رَبُّهَا تُحِبُّ أَنْ تَرْجِعَ إِلَيْكُمْ وَأَنَّ لَهَا الدُّنْيَا وَمَا فِيهَا غَيْرُ الشَّهِيدِ». قَالَ ٱبْنُ أَبِي عَمِيرَةَ قَالَ رَسُولُ ٱللَّهِ ﷺ: «وَلأَنْ أُقْتَلَ فِي سَبِيلِ اللَّهِ أَحَبُّ إِلَيَّ مِنْ أَنْ يَكُونَ لِي أَهْلُ الْوَبَرِ وَالْمَدَرِ».

(31) ـ ثَوَابُ مَنْ قُتِلَ فِي سَبِيلِ الله عزّ وجلّ

3151 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو قَالَ: سَمِعْتُ جَابِراً يَقُولُ: قَالَ رَجُلٌ يَوْمَ أُحُدٍ: أَرَأَيْتَ إِنْ قُتِلْتُ فِي سَبِيلِ ٱللَّهِ فَأَيْنَ أَنَا؟ قَالَ: «فِي الْجَنَّةِ» فَأَلْقَى تَمَرَاتٍ فِي يَدِهِ ثُمَّ قَاتَلَ حَتَّى قُتِلَ.

(32) ـ مَنْ قَاتَلَ فِي سَبِيلِ الله تعالى وعليه دَيْنٌ

3152 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا أَبُو عَاصِمٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَجْلاَنَ عَنْ سَعِيدٍ الْمَقْبُرِيِّ عَنْ أَبِي هُرَيْرَةَ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ وَهُوَ يَخْطُبُ عَلَى الْمِنْبَرِ فَقَالَ: أَرَأَيْتَ إِنْ قَاتَلْتُ فِي سَبِيلِ ٱللَّهِ صَابِراً مُحْتَسِباً مُقْبِلاً غَيْرَ مُدْبِرٍ أَيُكَفِّرُ ٱللَّهُ عَنِّي سَيِّئَاتِي؟ قَالَ: «نَعَمْ» ثُمَّ سَكَتَ سَاعَةً

He kept silent for a while, after which he said: "Where is the asker?" the man said: "Here I'm O Messenger of Allah!" he asked: "What have you said?" he said: "I asked: 'should I be killed in the way of Allah, while being steadfast, expecting the reward (from Allah), always facing the enemy in fight, and never turning my back to him: will all my sins be obliterated by Allah from me?'" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Yes, (all your sins will be removed) except debt. Gabriel has just now told me this in secrecy ."

3153- It is narrated on the authority of Abdullah Ibn Abu Qatadah from his father that he said: A man came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Should I be killed in the way of Allah, while being steadfast, expecting the reward (from Allah), always facing the enemy in fight, and never turning my back to him: will my sins be plotted out by Allah from me?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Yes." When the man turned away, The Messenger of Allah "Allah's blessing and peace be upon him" called him, or ordered that he should be brought back to him, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "What have you said?" he repeated the same question to him, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Yes, (all your sins will be removed) except debt. Gabriel "Peace be upon him" has told me this."

3154- It is narrated on the authority of Abdullah Ibn Abu Qatadah from his father that he heard him relating from The Messenger of Allah "Allah's blessing and peace be upon him" that he stood up among them (his Companions) to deliver a sermon in which he told them that Jihad in the cause of Allah and belief in Allah are the best of deeds (in reward). A man stood up and said: "O Messenger of Allah! Do you think that if I am killed in the way of Allah, will my sins be removed from me?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Yes, in case you are killed in the way of Allah while being steadfast, expecting the reward (from Allah), always facing the enemy in fight, and never turning your back to him (all your sins will be removed) except debt. Gabriel has told me this."

3155- It is narrated on the authority of Abdullah Ibn Abu Qatadah from his father that he said: A man came to The Messenger of Allah "Allah's blessing and peace be upon him" while he was on the pulpit and said: "O Messenger of Allah! Should I keep striking with my sword in the way of Allah, while being steadfast, expecting the reward (from Allah), always

قَالَ: «**أَيْنَ السَّائِلُ آنِفاً؟**» فَقَالَ الرَّجُلُ: هَا أَنَا ذَا قَالَ: «**مَا قُلْتَ؟**» قَالَ: أَرَأَيْتَ إِنْ قُتِلْتُ فِي سَبِيلِ ٱللَّهِ صَابِراً مُحْتَسِباً مُقْبِلاً غَيْرَ مُدْبِرٍ أَيُكَفِّرُ ٱللَّهُ عَنِّي سَيِّئَاتِي؟ قَالَ: «**نَعَمْ إِلاَّ الدَّيْنَ سَارَّنِي بِهِ جِبْرِيلُ آنِفاً**».

3153 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي قَتَادَةَ عَنْ أَبِيهِ قَالَ: جَاءَ رَجُلٌ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَرَأَيْتَ إِنْ قُتِلْتُ فِي سَبِيلِ ٱللَّهِ صَابِراً مُحْتَسِباً مُقْبِلاً غَيْرَ مُدْبِرٍ أَيُكَفِّرُ ٱللَّهُ عَنِّي خَطَايَايَ؟ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**نَعَمْ**» فَلَمَّا وَلَّى الرَّجُلُ نَادَاهُ رَسُولُ ٱللَّهِ ﷺ أَوْ أَمَرَ بِهِ فَنُودِيَ لَهُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**كَيْفَ قُلْتَ؟**» فَأَعَادَ عَلَيْهِ قَوْلَهُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**نَعَمْ إِلاَّ الدَّيْنَ كَذٰلِكَ قَالَ لِي جِبْرِيلُ عَلَيْهِ السَّلاَمُ**».

3154 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي قَتَادَةَ عَنْ أَبِي قَتَادَةَ أَنَّهُ سَمِعَهُ يُحَدِّثُ عَنْ رَسُولِ ٱللَّهِ ﷺ أَنَّهُ قَامَ فِيهِمْ فَذَكَرَ لَهُمْ أَنَّ الْجِهَادَ فِي سَبِيلِ ٱللَّهِ وَالإِيمَانَ بِاللَّهِ أَفْضَلُ الأَعْمَالِ فَقَامَ رَجُلٌ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَرَأَيْتَ إِنْ قُتِلْتُ فِي سَبِيلِ ٱللَّهِ أَيُكَفِّرُ ٱللَّهُ عَنِّي خَطَايَايَ؟ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**نَعَمْ إِنْ قُتِلْتَ فِي سَبِيلِ ٱللَّهِ وَأَنْتَ صَابِرٌ مُحْتَسِبٌ مُقْبِلٌ غَيْرُ مُدْبِرٍ إِلاَّ الدَّيْنَ فَإِنَّ جِبْرِيلَ عَلَيْهِ السَّلاَمُ قَالَ لِي ذٰلِكَ**».

3155 ـ أَخْبَرَنَا عَبْدُ الْجَبَّارِ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو سَمِعَ مُحَمَّدَ بْنَ قَيْسٍ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي قَتَادَةَ عَنْ أَبِيهِ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ وَهُوَ عَلَى الْمِنْبَرِ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَرَأَيْتَ إِنْ ضَرَبْتُ بِسَيْفِي فِي سَبِيلِ ٱللَّهِ صَابِراً مُحْتَسِباً مُقْبِلاً غَيْرَ مُدْبِرٍ حَتَّى أُقْتَلَ أَيُكَفِّرُ ٱللَّهُ

facing the enemy in fight, and never turning my back to him until I'm killed: will my sins be plotted out by Allah from me?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Yes." When the man turned away, The Messenger of Allah "Allah's blessing and peace be upon him" called him and said: "This is Gabriel, and he says that (all your sins will be removed) unless you owe a debt."

[33] What One Wishes To Do In The Cause Of Allah Almighty

3156- It is narrated on the authority of Ubadah Ibn As-Samit that The Messenger of Allah "Allah's blessing and peace be upon him" said: "No soul on the surface of the earth dies, and has good in the Presence of Allah Almighty, and it likes to return to you (in the world) once again, even though it will have all of the world (in its possession), barring such as is killed (in the Cause of Allah), for he likes to return (to the world) in order to be killed once again (in the Cause of Allah Almighty)."

[34] What The Inhabitants Of The Garden Wish

3157- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "A man from amongst the inhabitants of the Garden will be brought, and Allah Almighty will ask him: "O son of Adam! How have you found your dwelling place?" he will say: "O Lord! It is the best of dwelling places." He will say: "Ask (Me and you will be responded to) and wish (for everything you like, and it will be fulfilled)." He will say: "I ask you to bring me back to the world, in order to be killed ten times in Your Cause" on account of the superiority of martyrdom (in the Cause of Allah Almighty)."

[35] How much pain does a martyr feel?

3158- It is narrated on the authority of Abu Hurairah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Indeed, a martyr never feels the pain of killing except in the same way as anyone of you feels the effect of a pinch when he is pinched."

[36] Asking For Martyrdom

3159- It is narrated on the authority of Sahl Ibn Abu Umamah Ibn Sahl Ibn Hunaif from his father from his grandfather that The Messenger of Allah "Allah's blessing and peace be upon him" said: "If one asks Allah Almighty for martyrdom with sincerity, Allah Almighty will upgrade him to the positions of martyrs, even though he dies on his bed."

3160- It is narrated on the authority of Uqbah Ibn Amir that The Messenger of Allah "Allah's blessing and peace be upon him" said: "There

عَنِّي خَطَايَايَ؟ قَالَ: «نَعَمْ» فَلَمَّا أَدْبَرَ دَعَاهُ فَقَالَ: «هٰذَا جِبْرِيلُ يَقُولُ إِلاَّ أَنْ يَكُونَ عَلَيْكَ دَيْنٌ».

(33) ـ ما يَتَمَنَّى في سَبِيلِ الله عزّ وجلّ

3156 ـ أَخْبَرَنَا هَارُونُ بْنُ مُحَمَّدِ بْنِ بَكَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عِيسَى وَهُوَ ٱبْنُ الْقَاسِمِ بْنِ سُمَيْعٍ قَالَ: حَدَّثَنَا زَيْدُ بْنُ وَاقِدٍ عَنْ كَثِيرِ بْنِ مُرَّةَ أَنَّ عُبَادَةَ بْنَ الصَّامِتِ حَدَّثَهُمْ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «مَا عَلَى الأَرْضِ مِنْ نَفْسٍ تَمُوتُ وَلَهَا عِنْدَ ٱللَّهِ خَيْرٌ تُحِبُّ أَنْ تَرْجِعَ إِلَيْكُمْ وَلَهَا الدُّنْيَا إِلاَّ الْقَتِيلُ فَإِنَّهُ يُحِبُّ أَنْ يَرْجِعَ فَيُقْتَلَ مَرَّةً أُخْرَى».

(34) ـ ما يَتَمَنَّى أَهْلُ الجَنَّةِ

3157 ـ أَخْبَرَنَا أَبُو بَكْرِ بْنُ نَافِعٍ قَالَ: حَدَّثَنَا بَهْزٌ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ ثَابِتٍ عَنْ أَنَسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «يُؤْتَى بِالرَّجُلِ مِنْ أَهْلِ الْجَنَّةِ فَيَقُولُ ٱللَّهُ عَزَّ وَجَلَّ: يَا ٱبْنَ آدَمَ كَيْفَ وَجَدْتَ مَنْزِلَكَ؟ فَيَقُولُ: أَيْ رَبِّ خَيْرَ مَنْزِلٍ فَيَقُولُ: سَلْ وَتَمَنَّ فَيَقُولُ: أَسْأَلُكَ أَنْ تَرُدَّنِي إِلَى الدُّنْيَا فَأُقْتَلَ فِي سَبِيلِكَ عَشْرَ مَرَّاتٍ لِمَا يَرَى مِنْ فَضْلِ الشَّهَادَةِ».

(35) ـ ما يَجِدُ الشَّهِيدُ من الأَلَمِ

3158 ـ أَخْبَرَنَا عِمْرَانُ بْنُ يَزِيدَ قَالَ: حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ عَنْ مُحَمَّدِ بْنِ عَجْلاَنَ عَنِ الْقَعْقَاعِ بْنِ حَكِيمٍ عَنْ أَبِي صَالِحٍ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «الشَّهِيدُ لاَ يَجِدُ مَسَّ الْقَتْلِ إِلاَّ كَمَا يَجِدُ أَحَدُكُمُ الْقَرْصَةَ يَقْرُصُهَا».

(36) ـ مَسْأَلَةُ الشَّهَادَةِ

3159 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: حَدَّثَنِي عَبْدُ الرَّحْمٰنِ بْنُ شُرَيْحٍ أَنَّ سَهْلَ بْنَ أَبِي أُمَامَةَ بْنِ سَهْلِ بْنِ حُنَيْفٍ حَدَّثَهُ عَنْ أَبِيهِ عَنْ جَدِّهِ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «مَنْ سَأَلَ ٱللَّهَ عَزَّ وَجَلَّ الشَّهَادَةَ بِصِدْقٍ بَلَّغَهُ ٱللَّهُ مَنَازِلَ الشُّهَدَاءِ وَإِنْ مَاتَ عَلَى فِرَاشِهِ».

3160 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: حَدَّثَنِي عَبْدُ الرَّحْمٰنِ بْنُ شُرَيْحٍ عَنْ عَبْدِ ٱللَّهِ بْنِ ثَعْلَبَةَ الْحَضْرَمِيِّ أَنَّهُ سَمِعَ ٱبْنَ حُجَيْرَةَ يُخْبِرُ عَنْ عُقْبَةَ بْنِ عَامِرٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «خَمْسٌ مَنْ قُبِضَ فِي شَيْءٍ مِنْهُنَّ فَهُوَ

are five (cases), and in whichever of them one dies he is regarded as a martyr: such as is killed in Allah's Cause is a martyr; such as dies as a result of sinking in Allah's Cause is a martyr; such as dies because of a severe abdominal disease in Allah's Cause is a martyr; such as dies because of plague in Allah's Cause is a martyr; and such (of women) as dies because of parturition is a martyr."

3161- It is narrated on the authority of Al-Irbad Ibn Sariyah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "The martyrs and those who die on their beds will appeal to our Lord (on the Day of Resurrection) to decide the case of such as die because of plague. The martyrs will say: "Those are our brothers: they were killed just as we were killed." Such as die on their beds will say: "Those are our brothers: they died on their beds just as we died on our beds." Our Lord will say: "Look at their wounds: if their wounds are similar to the injuries of such as killed (as martyrs in My Cause) , they then belong to them, and consequently, they will be with them." Behold! Their wounds will seem similar to theirs.

[37] When The Killer And The Killed In Allah's Cause Gather Together In The Garden

3162- It is narrated on the authority of Abu Hurairah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah Almighty wonders or smiles at two men, one of whom kills the other, even though they both enter the Garden."

[38] The Interpretation Of That

3163- It is narrated on the authority of Abu Hurairah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah Almighty smiles at two men, one of whom kills the other, even though they both enter the Garden: one fights in Allah's Cause until he is killed; and Allah turns in repentance to the killer , who fights (in His Cause) until he is martyred."

[39] The Excellence Of Standing To Keep Vigilance (In The Borders In Allah's Cause)

3164- It is narrated on the authority of Salman Al-Khair from The Messenger of Allah "Allah's blessing and peace be upon him" that he said: "He, who stands to keep vigilance in the borders in Allah's Cause even for a day and a night, it (the reward he receives) will be equal to the reward of observing fasts and standing (at night for supererogatory prayers) for a whole month; and he, who dies while standing to keep vigilance (in Allah's Cause), will keep receiving the like of the reward (of his good deeds which

شَهِيدٌ الْمَقْتُولُ فِي سَبِيلِ ٱللَّهِ شَهِيدٌ وَالْغَرِقُ فِي سَبِيلِ ٱللَّهِ شَهِيدٌ وَالْمَبْطُونُ فِي سَبِيلِ ٱللَّهِ شَهِيدٌ وَالْمَطْعُونُ فِي سَبِيلِ ٱللَّهِ شَهِيدٌ وَالنُّفَسَاءُ فِي سَبِيلِ ٱللَّهِ شَهِيدٌ».

3161 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا بَقِيَّةُ قَالَ: حَدَّثَنَا بَحِيرٌ عَنْ خَالِدٍ عَنِ ٱبْنِ أَبِي بِلاَلٍ عَنِ الْعِرْبَاضِ بْنِ سَارِيَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «يَخْتَصِمُ الشُّهَدَاءُ وَالْمُتَوَفَّوْنَ عَلَى فُرُشِهِمْ إِلَى رَبِّنَا فِي الَّذِينَ يُتَوَفَّوْنَ مِنَ الطَّاعُونِ فَيَقُولُ الشُّهَدَاءُ: إِخْوَانُنَا قُتِلُوا كَمَا قُتِلْنَا وَيَقُولُ الْمُتَوَفَّوْنَ عَلَى فُرُشِهِمْ: إِخْوَانُنَا مَاتُوا عَلَى فُرُشِهِمْ كَمَا مُتْنَا فَيَقُولُ رَبُّنَا: ٱنْظُرُوا إِلَى جِرَاحِهِمْ فَإِنْ أَشْبَهَ جِرَاحُهُمْ جِرَاحَ الْمَقْتُولِينَ فَإِنَّهُمْ مِنْهُمْ وَمَعَهُمْ فَإِذَا جِرَاحُهُمْ قَدْ أَشْبَهَتْ جِرَاحَهُمْ».

(37) ـ اجْتِمَاعُ القَاتِلِ والمَقْتُولِ في سَبِيلِ الله في الجَنَّةِ

3162 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَبِي الزِّنَادِ عَنِ الأَعرَجِ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّ ٱللَّهَ عَزَّ وَجَلَّ يَعْجَبُ مِنْ رَجُلَيْنِ يَقْتُلُ أَحَدُهُمَا صَاحِبَهُ» وَقَالَ مَرَّةً أُخْرَى: «لَيَضْحَكُ مِنْ رَجُلَيْنِ يَقْتُلُ أَحَدُهُمَا صَاحِبَهُ ثُمَّ يَدْخُلاَنِ الْجَنَّةَ».

(38) ـ تَفْسِيرُ ذلك

3163 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ أَبِي الزِّنَادِ عنِ الأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «يَضْحَكُ ٱللَّهُ إِلَى رَجُلَيْنِ يَقْتُلُ أَحَدُهُمَا الآخَرَ كِلاَهُمَا يَدْخُلُ الْجَنَّةَ يُقَاتِلُ هٰذَا فِي سَبِيلِ ٱللَّهِ فَيُقْتَلُ ثُمَّ يَتُوبُ ٱللَّهُ عَلَى الْقَاتِلِ فَيُقَاتِلُ فَيُسْتَشْهَدُ».

(39) ـ فَضْلُ الرِّبَاطِ

3164 ـ قال الْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ شُرَيْحٍ عَنْ عَبْدِ الْكَرِيمِ بْنِ الْحَارِثِ عَنْ أَبِي عُبَيْدَةَ بْنِ عُقْبَةَ عَنْ شُرَحْبِيلَ بْنِ السِّمْطِ عَنْ سَلْمَانَ الْخَيْرِ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: «مَنْ رَابَطَ يَوْماً وَلَيْلَةً فِي سَبِيلِ ٱللَّهِ كَانَ لَهُ كَأَجْرِ صِيَامِ شَهْرٍ وَقِيَامِهِ وَمَنْ مَاتَ مُرَابِطاً أُجْرِيَ لَهُ مِثْلُ ذٰلِكَ مِنَ الأَجْرِ

he used to do earlier), and his sustenance will be given to him incessantly, and he will be secure from the affliction of the grave."

3165- It is narrated on the authority of Salman Al-Khair that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who stands to keep vigilance in the borders in Allah's Cause even for a day and a night, it (the reward he receives) will be equal to the reward of observing fasts and standing (at night for supererogatory prayers) for a whole month; and he, who dies while standing to keep vigilance (in Allah's Cause), will keep receiving the like of the reward of his good deeds which he used to do earlier, and he will be secure from the affliction of the grave, and his sustenance will be given to him incessantly."

3166- It is narrated on the authority of Uthman Ibn Affan that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "To stand firm in order to keep vigilance (in the borders) in the Cause of Allah even for a day is better than one thousand days to be spent in any service else."

3167- It is narrated on the authority of Uthman Ibn Affan that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "(To stand firm in order to keep vigilance in the borders even for) a day in the Cause of Allah is better than one thousand days to be spent in any service else."

[40] The Excellence Of Practicing Jihad Across Naval Expeditions

3168- It is narrated on the authority of Anas that he said: Whenever The Messenger of Allah "Allah's blessing and peace be upon him" went to Quba', he visited Umm Haram Bint Milhan, who presented food to him. Umm Haram was the wife of Ubadah Ibn As-Samit. Once, The Messenger of Allah "Allah's blessing and peace be upon him" visited her and she presented food to him and started looking for lice in his head. Then The Messenger of Allah "Allah's blessing and peace be upon him" slept, and afterwards woke up smiling. Umm Haram asked: "What makes you smile, O Allah's Apostle?" He said: "Some of my followers (in a dream) were presented before me as fighters in Allah's Cause (on board a ship) amidst this sea. They seemed to be kings on the thrones (or they were like kings on the thrones)." (He is in doubt as to which expression was used). Umm Haram said: "O Allah's Apostle! Invoke Allah to make me one of them." The Messenger of Allah "Allah's blessing and peace be upon him" invoked Allah for her. Then he slept again and woke up smiling. Once again Umm Haram asked: "What makes you smile, O Allah's Apostle?" He replied: "Some of

وَأُجْرِيَ عَلَيْهِ الرِّزْقُ وَأَمِنَ مِنَ الْفَتَّانِ».

3165 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ يُوسُفَ قَالَ: حَدَّثَنَا اللَّيْثُ قَالَ: حَدَّثَنِي أَيُّوبُ بْنُ مُوسَى عَنْ مَكْحُولٍ عَنْ شُرَحْبِيلَ بْنِ السِّمْطِ عَنْ سَلْمَانَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «مَنْ رَابَطَ فِي سَبِيلِ ٱللَّهِ يَوْماً وَلَيْلَةً كَانَتْ لَهُ كَصِيَامِ شَهْرٍ وَقِيَامِهِ فَإِنْ مَاتَ جَرَى عَلَيْهِ عَمَلُهُ الَّذِي كَانَ يَعْمَلُ وَأَمِنَ الْفَتَّانَ وَأُجْرِيَ عَلَيْهِ رِزْقُهُ».

3166 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ يُوسُفَ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنْ زُهْرَةَ بْنِ مَعْبَدٍ قَالَ: حَدَّثَنِي أَبُو صَالِحٍ مَوْلَى عُثْمَانَ قَالَ: سَمِعْتُ عُثْمَانَ بْنَ عَفَّانَ رَضِيَ ٱللَّهُ عَنْهُ يَقُولُ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «رِبَاطُ يَوْمٍ فِي سَبِيلِ ٱللَّهِ خَيْرٌ مِنْ أَلْفِ يَوْمٍ فِيمَا سِوَاهُ مِنَ الْمَنَازِلِ».

3167 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ قَالَ: حَدَّثَنَا ٱبْنُ الْمُبَارَكِ قَالَ: حَدَّثَنَا أَبُو مَعْنٍ قَالَ: حَدَّثَنَا زَهْرَةُ بْنُ مَعْبَدٍ عَنْ أَبِي صَالِحٍ مَوْلَى عُثْمَانَ قَالَ: قَالَ عُثْمَانُ بْنُ عَفَّانَ رَضِيَ ٱللَّهُ عَنْهُ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «يَوْمٌ فِي سَبِيلِ ٱللَّهِ خَيْرٌ مِنْ أَلْفِ يَوْمٍ فِيمَا سِوَاهُ».

(40) ـ فَضْلُ الجِهَادِ فِي البَحْرِ

3168 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ إِسْحَاقَ بْنِ عَبْدِ ٱللَّهِ بْنِ أَبِي طَلْحَةَ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: كَانَ رَسُولُ ٱللَّهِ ﷺ إِذَا ذَهَبَ إِلَى قُبَاءٍ يَدْخُلُ عَلَى أُمِّ حَرَامٍ بِنْتِ مِلْحَانَ فَتُطْعِمُهُ وَكَانَتْ أُمُّ حَرَامٍ بِنْتُ مِلْحَانَ تَحْتَ عُبَادَةَ بْنِ الصَّامِتِ فَدَخَلَ عَلَيْهَا رَسُولُ ٱللَّهِ ﷺ يَوْماً فَأَطْعَمَتْهُ وَجَلَسَتْ تَفْلِي رَأْسَهُ فَنَامَ رَسُولُ ٱللَّهِ ﷺ ثُمَّ ٱسْتَيْقَظَ وَهُوَ يَضْحَكُ قَالَتْ: فَقُلْتُ مَا يُضْحِكُكَ يَا رَسُولَ ٱللَّهِ؟ قَالَ: «نَاسٌ مِنْ أُمَّتِي عُرِضُوا عَلَيَّ غُزَاةً فِي سَبِيلِ ٱللَّهِ يَرْكَبُونَ ثَبَجَ هٰذَا الْبَحْرِ مُلُوكٌ عَلَى الأَسِرَّةِ، أَوْ مِثْلُ الْمُلُوكِ عَلَى الأَسِرَّةِ». شَكَّ إِسْحَاقُ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ ادْعُ اللَّهَ أَنْ يَجْعَلَنِي مِنْهُمْ فَدَعَا لَهَا رَسُولُ ٱللَّهِ ﷺ ثُمَّ نَامَ وَقَالَ الحَارِثُ: فَنَامَ ثُمَّ ٱسْتَيْقَظَ فَضَحِكَ فَقُلْتُ لَهُ: مَا يُضْحِكُكَ

my followers were presented to me as fighters in Allah's Cause. They seemed to be kings on the thrones (or they were like kings on the thrones)." He repeated the same dream. Umm Haram said: "O Allah's Apostle! Invoke Allah for me to be one of them." He said: "You are amongst the first ones." It happened that she sailed on the sea at the time when Mu'awiyah Ibn Abu Sufyan was the governor (of Sham during the caliphate of Uthman). After she had disembarked, she fell down from her riding animal and died.

3169- It is narrated on the authority of Anas that Umm Haram (who was the aunt of Anas) said: The Prophet "Allah's blessing and peace be upon him" came to us one day and had a nap in our house. When he woke up, he was laughing. I said: "O Messenger of Allah! What makes you laugh?" He said: "I saw a people from my followers sailing on the surface of the sea (looking) like kings (sitting) on their thrones." I said: "Invoke Allah for me to be among them." He said: "You will be among them." He had another nap, after which he woke up and was laughing. I asked him about that, and he gave the same reply. I said: "Invoke Allah for me to be among them." He said: "You are among the first patch." Anas said: Ubadah Ibn As-Samit married her. He joined a naval expedition and took her along with him. When she returned, a mule was brought for her. While she was mounting it she fell down, and her neck got broken (and she died).

[41] The Holy Battle Of India

3170- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" gave us promise (that we would fight) the holy battle of India: should I catch up with it, I will spend my soul and property in it; and should I be killed in it, I will be from amongst the best martyrs, and should I return, I will be (as I'm the same) Abu Hurairah the manumitted (from the fire of Hell).

3171- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" gave us promise (that we would fight) the holy battle of India: should I catch up with it, I will spend my soul and property in it; and should I be killed in it, I will be from amongst the best martyrs, and should I return, I will be (as I'm the same) Abu Hurairah the manumitted (from the fire of Hell).

3172- It is narrated on the authority of Thawban, the freed slave of The Messenger of Allah "Allah's blessing and peace be upon him", that The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are two pacts from amongst my nation, whom Allah Almighty will deliver

يَا رَسُولَ ٱللَّهِ؟ قَالَ: «نَاسٌ مِنْ أُمَّتِي عُرِضُوا عَلَيَّ غُزَاةً فِي سَبِيلِ ٱللَّهِ مُلُوكٌ عَلَى الأَسِرَّةِ أَوْ مِثْلُ الْمُلُوكِ عَلَى الأَسِرَّةِ» كَمَا قَالَ فِي الأَوَّلِ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ ادْعُ ٱللَّهَ أَنْ يَجْعَلَنِي مِنْهُمْ قَالَ: «أَنْتِ مِنَ الأَوَّلِينَ» فَرَكِبَتِ الْبَحْرَ فِي زَمَانِ مُعَاوِيَةَ فَصُرِعَتْ عَنْ دَابَّتِهَا حِينَ خَرَجَتْ مِنَ الْبَحْرِ فَهَلَكَتْ.

3169 ـ أَخْبَرَنَا يَحْيَى بْنُ حَبِيبِ بْنِ عَرَبِيٍّ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ مُحَمَّدِ بْنِ يَحْيَى بْنِ حَبَّانَ عَنْ أَنَسِ بْنِ مَالِكٍ عَنْ أُمِّ حَرَامٍ بِنْتِ مِلْحَانَ قَالَتْ: أَتَانَا رَسُولُ ٱللَّهِ ﷺ وَقَالَ عِنْدَنَا فَاسْتَيْقَظَ وَهُوَ يَضْحَكُ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ بِأَبِي وَأُمِّي مَا أَضْحَكَكَ؟ قَالَ: «رَأَيْتُ قَوْماً مِنْ أُمَّتِي يَرْكَبُونَ هٰذَا الْبَحْرَ كَالْمُلُوكِ عَلَى الأَسِرَّةِ» قُلْتُ: ٱدْعُ ٱللَّهَ أَنْ يَجْعَلَنِي مِنْهُمْ قَالَ: «فَإِنَّكِ مِنْهُمْ» ثُمَّ نَامَ ثُمَّ ٱسْتَيْقَظَ وَهُوَ يَضْحَكُ فَسَأَلْتُهُ فَقَالَ: يَعْنِي مِثْلَ مَقَالَتِهِ قُلْتُ: ٱدْعُ ٱللَّهَ أَنْ يَجْعَلَنِي مِنْهُمْ قَالَ: «أَنْتِ مِنَ الأَوَّلِينَ» فَتَزَوَّجَهَا عُبَادَةُ بْنُ الصَّامِتِ فَرَكِبَ الْبَحْرَ وَرَكِبَتْ مَعَهُ فَلَمَّا خَرَجَتْ قُدِّمَتْ لَهَا بَغْلَةٌ فَرَكِبَتْهَا فَصَرَعَتْهَا فَانْدَقَّتْ عُنُقُهَا.

(41) ـ غَزْوَةُ الهِنْدِ

3170 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عُثْمَانَ بْنِ حَكِيمٍ قَالَ: حَدَّثَنَا زَكَرِيَّا بْنُ عَدِيٍّ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ عَمْرٍو عَنْ زَيْدِ بْنِ أَبِي أُنَيْسَةَ عَنْ سَيَّارٍ ح. قَالَ: وَأَنْبَأَنَا هُشَيْمٌ عَنْ سَيَّارٍ عَنْ جَبْرِ بْنِ عَبِيدَةَ وَقَالَ عُبَيْدُ ٱللَّهِ: عَنْ جُبَيْرٍ عَنْ أَبِي هُرَيْرَةَ قَالَ: وَعَدَنَا رَسُولُ ٱللَّهِ ﷺ غَزْوَةَ الْهِنْدِ فَإِنْ أَدْرَكْتُهَا أُنْفِقْ فِيهَا نَفْسِي وَمَالِي فَإِنْ أُقْتَلْ كُنْتُ مِنْ أَفْضَلِ الشُّهَدَاءِ وَإِنْ أَرْجِعْ فَأَنَا أَبُو هُرَيْرَةَ الْمُحَرَّرُ.

3171 ـ حَدَّثَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَزِيدُ قَالَ: أَنْبَأَنَا هُشَيْمٌ قَالَ: حَدَّثَنَا سَيَّارٌ أَبُو الْحَكَمِ عَنْ جَبْرِ بْنِ عَبِيدَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: وَعَدَنَا رَسُولُ ٱللَّهِ ﷺ غَزْوَةَ الْهِنْدِ فَإِنْ أَدْرَكْتُهَا أُنْفِقْ فِيهَا نَفْسِي وَمَالِي وَإِنْ قُتِلْتُ كُنْتُ أَفْضَلَ الشُّهَدَاءِ وَإِنْ رَجَعْتُ فَأَنَا أَبُو هُرَيْرَةَ الْمُحَرَّرُ.

3172 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الرَّحِيمِ قَالَ: حَدَّثَنَا أَسَدُ بْنُ مُوسَى قَالَ: حَدَّثَنَا بَقِيَّةُ قَالَ: حَدَّثَنِي أَبُو بَكْرٍ الزُّبَيْدِيُّ عَنْ أَخِيهِ مُحَمَّدِ بْنِ الْوَلِيدِ عَنْ لُقْمَانَ بْنِ عَامِرٍ عَنْ عَبْدِ الأَعْلَى بْنِ عَدِيٍّ الْبَهْرَانِيِّ عَنْ ثَوْبَانَ مَوْلَى رَسُولِ ٱللَّهِ ﷺ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «عِصَابَتَانِ مِنْ أُمَّتِي أَحْرَزَهُمَا ٱللَّهُ مِنَ النَّارِ عِصَابَةٌ

from the fire (of Hell): one will invade India, and the other will be with Jesus, son of Mary "Peace be upon both"."

[42] The Holy Battle Of Turkey And Abyssinia

3173- It is narrated on the authority of Abu Sukainah, one of the freed men, from one of the companions of The Messenger of Allah "Allah's blessing and peace be upon him" that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" ordered that the trench be dug, a rock appeared to them, and hindered them from digging. The Messenger of Allah "Allah's blessing and peace be upon him" stood up and took hold of the mattock, and placed his garment by the side of the trench, and then he said: " The word of your Lord does find its fulfillment in truth and in justice: none can change His Words for He is the One Who hears and knows all." (Al-An'am 115) (He struck the rock once with the result that) one-third the rock fell down (and went on pieces), and Salman Al-Farisi was looking, and with the strike of The Messenger of Allah "Allah's blessing and peace be upon him", there was a flash. Then, he gave another strike, and said: " The word of your Lord does find its fulfillment in truth and in justice: none can change His Words for He is the One Who hears and knows all." The second third (of the rock) fell down (and went to pieces), and there was a sparkle, which Salman saw. Then, he gave a third strike, and said: " The word of your Lord does find its fulfillment in truth and in justice: none can change His Words for He is the One Who hears and knows all." Then, the remaining third (of the rock) fell down. Then, The Messenger of Allah "Allah's blessing and peace be upon him" came out and took on his garment, and sat down. Salman said to him: "O Messenger of Allah! I saw that you have given no strike, but that there was a flash with it." The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "O Salman! Have you really seen that?" he said: "Yes, by Him Who has sent you with the truth O Messenger of Allah." He said: "When I gave the first strike, the Mada'in of Khosrau (the Persian capital) and its surroundings, and further more cities were raised (and shown) to me, that I was able to see them with my own eyes." The present companions said to him: "O Messenger of Allah! Invoke Allah to help us conquer it, cause us to have their dwelling places as booty, and ruin their power at our hands." The Messenger of Allah "Allah's blessing and peace be upon him" invoked Allah for that. (He resumed) "When I gave the second strike, the towns of Caesar and its surroundings were raised (and shown) to me, that I was able to see them with my own eyes." The present companions said to him: "O Messenger of Allah! Invoke Allah to help us conquer it, cause us to have their dwelling places as booty, and ruin their power at our hands." The Messenger of Allah "Allah's

تَغْزُو الْهِنْدَ وَعِصَابَةٌ تَكُونُ مَعَ عِيسَى ابْنِ مَرْيَمَ عَلَيْهِمَا السَّلاَمُ».

(42) ـ غَزْوَةُ التُّرْكِ والحَبَشَةِ

3173 ـ أَخْبَرَنَا عِيسَى بْنُ يُونُسَ قَالَ: حَدَّثَنَا ضَمْرَةُ عَنْ أَبِي زُرْعَةَ السَّيْبَانِيِّ عَنْ أَبِي سُكَيْنَةَ رَجُلٍ مِنَ الْمُحَرَّرِينَ عَنْ رَجلٍ مِنْ أَصْحَابِ النَّبِيِّ ﷺ قَالَ: لَمَّا أَمَرَ النَّبِيُّ ﷺ بِحَفْرِ الْخَنْدَقِ عَرَضَتْ لَهُمْ صَخْرَةٌ حَالَتْ بَيْنَهُمْ وَبَيْنَ الْحَفْرِ فَقَامَ رَسُولُ ٱللَّهِ ﷺ وَأَخَذَ الْمِعْوَلَ وَوَضَعَ رِدَاءَهُ نَاحِيَةَ الْخَنْدَقِ وَقَالَ: «**تَمَّتْ كَلِمَةُ رَبِّكَ صِدْقاً وَعَدْلاً لاَ مُبَدِّلَ لِكَلِمَاتِهِ وَهُوَ السَّمِيعُ الْعَلِيمُ**». فَنَدَرَ ثُلُثُ الْحَجَرِ وَسَلْمَانُ الْفَارِسِيُّ قَائِمٌ يَنْظُرُ فَبَرَقَ مَعَ ضَرْبَةِ رَسُولِ ٱللَّهِ ﷺ بَرْقَةٌ ثُمَّ ضَرَبَ الثَّانِيَةَ وَقَالَ: «**تَمَّتْ كَلِمَةُ رَبِّكَ صِدْقاً وَعَدْلاً لاَ مُبَدِّلَ لِكَلِمَاتِهِ وَهُوَ السَّمِيعُ الْعَلِيمُ**». فَنَدَرَ الثُّلُثُ الآخَرُ فَبَرَقَتْ بَرْقَةٌ فَرَآهَا سَلْمَانُ ثُمَّ ضَرَبَ الثَّالِثَةَ وَقَالَ: «**تَمَّتْ كَلِمَةُ رَبِّكَ صِدْقاً وَعَدْلاً لاَ مُبَدِّلَ لِكَلِمَاتِهِ وَهُوَ السَّمِيعُ الْعَلِيمُ**». فَنَدَرَ الثُّلُثُ الْبَاقِي وَخَرَجَ رَسُولُ ٱللَّهِ ﷺ فَأَخَذَ رِدَاءَهُ وَجَلَسَ قَالَ سَلْمَانُ: يَا رَسُولَ ٱللَّهِ رَأَيْتُكَ حِينَ ضَرَبْتَ مَا تَضْرِبُ ضَرْبَةً إلاَّ كَانَتْ مَعَهَا بَرْقَةٌ قَالَ لَهُ رَسُولُ ٱللَّهِ ﷺ: «**يَا سَلْمَانُ رَأَيْتَ ذٰلِكَ؟**» فَقَالَ: إي وَالَّذِي بَعَثَكَ بِالْحَقِّ يَا رَسُولَ ٱللَّهِ قَالَ: «**فَإِنِّي حِينَ ضَرَبْتُ الضَّرْبَةَ الأُولَى رُفِعَتْ لِي مَدَائِنُ كِسْرَى وَمَا حَوْلَهَا وَمَدَائِنُ كَثِيرَةٌ حَتَّى رَأَيْتُهَا بِعَيْنَيَّ**». قَالَ لَهُ مَنْ حَضَرَهُ مِنْ أَصْحَابِهِ: يَا رَسُولَ ٱللَّهِ ٱدْعُ ٱللَّهَ أَنْ يَفْتَحَهَا عَلَيْنَا وَيُغَنِّمَنَا دِيَارَهُمْ وَيُخَرِّبَ بِأَيْدِينَا بِلاَدَهُمْ فَدَعَا رَسُولُ ٱللَّهِ ﷺ «**ثُمَّ ضَرَبْتُ الضَّرْبَةَ الثَّانِيَةَ فَرُفِعَتْ لِي مَدَائِنُ قَيْصَرَ وَمَا حَوْلَهَا حَتَّى رَأَيْتُهَا بِعَيْنَيَّ**». قَالُوا: يَا رَسُولَ ٱللَّهِ ٱدْعُ ٱللَّهَ أَنْ يَفْتَحَهَا عَلَيْنَا وَيُغَنِّمَنَا دِيَارَهُمْ

blessing and peace be upon him" invoked Allah for that. (He resumed) "When I gave the third strike, the cities of Abyssinia and its surroundings were raised (and shown) to me that I was able to see them with my own eyes." Then, The Messenger of Allah "Allah's blessing and peace be upon him" said at this point: "Leave the Abyssinians as long as they are peaceful with you, and let the Turks as long as they leave you."

3174- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The Hour (of Judgement) will not be established before you fight the Turks, whose faces are as big as the leather shields and they wear (sandals made of) hair, and walk in (those sandals made of) hair ."

[43] Seeking The Help Of The Weak

3175- It is narrated on the authority of Mus'ab Ibn Sa'd from his father that he thought (though falsely) that he had superiority to such as inferior to him (in wealth and social status) from amongst the companions of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah Almighty helps this (Muslim) nation by virtue of the weak (and poor) among them, i.e. by virtue of their invocation, prayer and sincerity (of faith)."

3176- It is narrated on the authority of Abu Ad-Darda' that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Seek the help of the weak among you, for indeed, you are given sustenance and helped by virtue of the weak among you."

[44] The Excellence Of Such As Prepares A Fighter (In Allah's Way)

3177- It is narrated on the authority of Zaid Ibn Khalid from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "He, who prepares a fighter (in Allah's Cause) has indeed (been considered to have) taken part in the holy battle; and he, who succeeds him (in looking after his family and property on his behalf) with good has indeed (been considered to have) taken part in the holy battle."

3178- It is narrated on the authority of Zaid Ibn Khalid Al-Juhani that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who prepares a fighter (in Allah's Cause) has indeed (been considered to have) taken part in the holy battle; and he, who succeeds a fighter (in Allah's Cause) in taking care of his family (and property on his behalf) with good has indeed (been considered to have) taken part in the holy battle."

وَيُخَرِّبَ بِأَيْدِينَا بِلاَدَهُمْ فَدَعَا رَسُولُ ٱللَّهِ ﷺ بِذٰلِكَ ثُمَّ «**ضَرَبْتُ الثَّالِثَةَ فَرُفِعَتْ لِي مَدَائِنُ الْحَبَشَةِ وَمَا حَوْلَهَا مِنَ الْقُرَى حَتَّى رَأَيْتُهَا بِعَيْنَيَّ**». قَالَ رَسُولُ ٱللَّهِ ﷺ عِنْدَ ذٰلِكَ: «**دَعُوا الْحَبَشَةَ مَا وَدَعُوكُمْ وَاتْرُكُوا التُّرْكَ مَا تَرَكُوكُمْ**».

3174 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا يَعْقُوبُ عَنْ سُهَيْلٍ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**لاَ تَقُومُ السَّاعَةُ حَتَّى يُقَاتِلَ الْمُسْلِمُونَ التُّرْكَ قَوْماً وُجُوهُهُمْ كَالْمَجَانِّ الْمُطَرَّقَةِ يَلْبَسُونَ الشَّعَرَ وَيَمْشُونَ فِي الشَّعَرِ**».

(43) ـ الاسْتِنْصَارُ بالضَّعِيفِ

3175 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِدْرِيسَ قَالَ: حَدَّثَنَا عُمَرُ بْنُ حَفْصِ بْنِ غِيَاثٍ عَنْ أَبِيهِ عَنْ مِسْعَرٍ عَنْ طَلْحَةَ بْنِ مُصَرِّفٍ عَنْ مُصْعَبِ بْنِ سَعْدٍ عَنْ أَبِيهِ أَنَّهُ ظَنَّ أَنَّ لَهُ فَضْلاً عَلَى مَنْ دُونَهُ مِنْ أَصْحَابِ النَّبِيِّ ﷺ فَقَالَ نَبِيُّ ٱللَّهِ ﷺ: «**إِنَّمَا يَنْصُرُ ٱللَّهُ هٰذِهِ الأُمَّةَ بِضَعِيفِهَا بِدَعْوَتِهِمْ وَصَلاَتِهِمْ وَإِخْلاَصِهِمْ**».

3176 ـ أَخْبَرَنَا يَحْيَى بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا عُمَرُ بْنُ عَبْدِ الْوَاحِدِ قَالَ: حَدَّثَنَا ٱبْنُ جَابِرٍ قَالَ: حَدَّثَنِي زَيْدُ بْنُ أَرْطَاةَ الْفَزَارِيُّ عَنْ جُبَيْرِ بْنِ نُفَيْرٍ الْحَضْرَمِيِّ أَنَّهُ سَمِعَ أَبَا الدَّرْدَاءِ يَقُولُ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**ٱبْغُونِي الضَّعِيفَ فَإِنَّكُمْ إِنَّمَا تُرْزَقُونَ وَتُنْصَرُونَ بِضُعَفَائِكُمْ**».

(44) ـ فَضْلُ مَنْ جَهَّزَ غَازِياً

3177 ـ أَخْبَرَنَا سُلَيْمَانُ بْنُ دَاوُدَ وَالْحَارِثُ بْن مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي عَمْرُو بنُ الْحَارِثِ عَنْ بُكَيْرِ بْنِ الأَشَجِّ عَنْ بُسْرِ بْنِ سَعِيدٍ عَنْ زَيْدِ بْنِ خَالِدٍ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: «**مَنْ جَهَّزَ غَازِياً فِي سَبِيلِ ٱللَّهِ فَقَدْ غَزَا وَمَنْ خَلَفَهُ فِي أَهْلِهِ بِخَيْرٍ فَقَدْ غَزَا**».

3178 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ عَبْدِ الرَّحْمٰنِ بْنِ مَهْدِيٍّ قَالَ: حَدَّثَنَا حَرْبُ بْنُ شَدَّادٍ عَنْ يَحْيَى عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ بُسْرِ بْنِ سَعِيدٍ عَنْ زَيْدِ بْنِ خَالِدٍ الْجُهَنِيِّ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ جَهَّزَ غَازِياً فَقَدْ غَزَا وَمَنْ خَلَفَ غَازِياً فِي أَهْلِهِ بِخَيْرٍ فَقَدْ غَزَا**».

3179- It is narrated on the authority of Al-Ahnaf Ibn Qais that he said: We set out as pilgrims, and we went to Medina with the intention to perform Hajj, and while we were in our dwelling places, unpacking our luggage, a comer came and said: "The people have been scared and they are now gathering in the mosque." We went and found the people having gathered in the mosque around some men in the middle, including Ali, Talhah, Az-Zubair and Sa'd Ibn Abu Waqqas. Such being the case, Uthman came having a yellow mantle therewith he covered his head. He said: "Is there Talhah? Is there Az-Zubair? Is there Sa'd?" they answered in the affirmative. He said: "I beseech you by Allah, other than Whom there is no god (to be worshipped): do you know that the Messenger of Allah "Allah's blessing and peace be upon him" said: 'Who could purchase the date-drying place of sons of so and so, Allah forgives him'? I then purchased it for twenty or twenty-five thousand (Dirhams) and when I came to the Messenger of Allah "Allah's blessing and peace be upon him" and told him, he said: 'Make it in our mosque, and you will receive its reward.'" They said: "Yes by Allah (we know that)." He said: "I beseech you by Allah, other than Whom there is no god (to be worshipped): do you know that the Messenger of Allah "Allah's blessing and peace be upon him" said: 'Who could purchase the well of Rumah Allah forgives him'? I then purchased it for such and such (money) and when I came to the Messenger of Allah "Allah's blessing and peace be upon him" and said to him: 'I've purchased it for such and such', he said: "Make it a source of water for the Muslims, and you will receive its reward.'" They said: "Yes by Allah (we know that)." He said: "I beseech you by Allah, other than Whom there is no god (to be worshipped): do you know that the Messenger of Allah "Allah's blessing and peace be upon him" Caught a glimpse of the faces of the people and said: 'Who could prepare those (Muslims who are going to take part in) the army of Difficulty, Allah forgives for him'? I then prepared it to the extent that even no rope nor nose-string was missing.'" They said: "Yes by Allah (we know that)." On that he said: "O Allah! Be Witness to that! O Allah! Be Witness to that! O Allah! Be Witness to that!"

[45] The Excellence Of Spending In Allah's Cause

3180- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Whoever gives in charity a pair (of things or property) in Allah's Cause, will be called from (the gates of) Paradise and will be addressed: "O slave of Allah! That (gate) is better (for you, so come and enter through it)." So, whoever was amongst the people who used to offer their prayers, would be called from the gate of the prayer; whoever was amongst the people who used to

3179 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ إِدْرِيسَ قَالَ: سَمِعْتُ حُصَيْنَ بْنَ عَبْدِ الرَّحْمٰنِ يُحَدِّثُ عَنْ عَمْرِو بْنِ جَاوَانَ عَنِ الأَحْنَفِ بْنِ قَيْسٍ قَالَ: خَرَجْنَا حُجَّاجاً فَقَدِمْنَا الْمَدِينَةَ وَنَحْنُ نُرِيدُ الْحَجَّ فَبَيْنَا نَحْنُ فِي مَنَازِلِنَا نَضَعُ رِحَالَنَا إِذْ أَتَانَا آتٍ فَقَالَ: إِنَّ النَّاسَ قَدِ ٱجْتَمَعُوا فِي الْمَسْجِدِ وَفَزِعُوا فَانْطَلَقْنَا فَإِذَا النَّاسُ مُجْتَمِعُونَ عَلَى نَفَرٍ فِي وَسَطِ الْمَسْجِدِ وَفِيهِمْ عَلِيٌّ وَالزُّبَيْرُ وَطَلْحَةُ وَسَعْدُ بْنُ أَبِي وَقَّاصٍ فَإِنَّا لَكَذٰلِكَ إِذْ جَاءَ عُثْمَانُ رَضِيَ ٱللَّهُ عَنْهُ عَلَيْهِ مُلاَءَةٌ صَفْرَاءُ قَدْ قَنَّعَ بِهَا رَأْسَهُ فَقَالَ: أَهٰهُنَا طَلْحَةُ؟ أَهٰهُنَا الزُّبَيْرُ؟ أَهٰهُنَا سَعْدٌ؟ قَالُوا: نَعَمْ قَالَ: فَإِنِّي أَنْشُدُكُمْ بِاللَّهِ الَّذِي لاَ إِلٰهَ إِلاَّ هُوَ أَتَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**مَنْ يَبْتَاعُ مِرْبَدَ بَنِي فُلاَنٍ غَفَرَ ٱللَّهُ لَهُ**». فَٱبْتَعْتُهُ بِعِشْرِينَ أَلْفاً أَوْ بِخَمْسَةٍ وَعِشْرِينَ أَلْفاً فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَأَخْبَرْتُهُ فَقَالَ: «**ٱجْعَلْهُ فِي مَسْجِدِنَا وَأَجْرُهُ لَكَ**». قَالُوا: ٱللَّهُمَّ نَعَمْ قَالَ: أَنْشُدُكُمْ بِاللَّهِ الَّذِي لاَ إِلٰهَ إِلاَّ هُوَ أَتَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**مَنِ ٱبْتَاعَ بِئْرَ رُومَةَ غَفَرَ ٱللَّهُ لَهُ**». فَٱبْتَعْتُهَا بِكَذَا وَكَذَا فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقُلْتُ: قَدِ ٱبْتَعْتُهَا بِكَذَا وَكَذَا قَالَ: «**ٱجْعَلْهَا سِقَايَةً لِلْمُسْلِمِينَ وَأَجْرُهَا لَكَ**». قَالُوا: ٱللَّهُمَّ نَعَمْ قَالَ: أَنْشُدُكُمْ بِاللَّهِ الَّذِي لاَ إِلٰهَ إِلاَّ هُوَ أَتَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ نَظَرَ فِي وُجُوهِ الْقَوْمِ فَقَالَ: «**مَنْ يُجَهِّزْ هٰؤُلاَءِ غَفَرَ ٱللَّهُ لَهُ**». يَعْنِي جَيْشَ الْعُسْرَةِ فَجَهَّزْتُهُمْ حَتَّى لَمْ يَفْقِدُوا عِقَالاً وَلاَ خِطَاماً فَقَالُوا: ٱللَّهُمَّ نَعَمْ قَالَ: ٱللَّهُمَّ ٱشْهَدْ ٱللَّهُمَّ ٱشْهَدْ ٱللَّهُمَّ ٱشْهَدْ.

(45) ـ فَضْلُ النَّفَقَةِ فِي سَبِيلِ الله تعالى

3180 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنِ ٱبْنِ شِهَابٍ عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنْ أَنْفَقَ زَوْجَيْنِ فِي سَبِيلِ ٱللَّهِ عَزَّ وَجَلَّ نُودِيَ فِي الْجَنَّةِ يَا عَبْدَ ٱللَّهِ هٰذَا خَيْرٌ فَمَنْ كَانَ مِنْ أَهْلِ الصَّلاَةِ دُعِيَ مِنْ بَابِ الصَّلاَةِ وَمَنْ كَانَ مِنْ أَهْلِ**

participate in Jihad, would be called from the gate of Jihad; whoever was amongst those who used to give in charity, would be called from the gate of charity; and whoever was amongst those who used to observe fasts, would be called from the gate of Ar-Rayyan." Abu Bakr As-Siddiq said: "O Messenger of Allah! No distress or need will befall him who will be called from (anyone of) those gates. Will there be any one who will be called from all these gates?" The Prophet "Allah's blessing and peace be upon him" replied: "Yes, and I hope you will be one of them."

3181- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Whoever gives in charity a pair (of things or property) in Allah's Cause, the storekeepers of the Garden will call him from the gates of Paradise: "O so and so! Come and enter the Garden!" Abu Bakr said: "O Messenger of Allah! This is the one whom no distress will befall." The Messenger of Allah "Allah's blessing and peace be upon him" said: "I hope you will be one of them."

3182- It is narrated on the authority of Sa'sa'ah Ibn Mu'awiyah that he said: I met Abu Dharr and said to him: "Relate to me (a narration from the Prophet)." He said: "Well. The Messenger of Allah "Allah's blessing and peace be upon him" said: "No Muslim servants spends a pair of every portion of his property in the Cause of Allah but that the custodians of the Garden will receive him, with each of them calling him to come to whatever (gate) is under his custody (to enter the Garden through it)." I asked him: "How is that?" he said: "If it (his property) is of camels, let (him spend) two camels; and if it is of cows, let (him spend) two cows (and so on)."

3183- It is narrated on the authority of Khuraim Ibn Fatik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever spends anything in the Cause of Allah, it will be written (in reward as much as) seven hundredfold for him."

[46] The Excellence Of Giving In Charity In The Cause Of Allah

3184- It is narrated on the authority of Abu Mas'ud that a man gave in charity a she-camel tied with a nose-string in Allah's Cause, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "On the Day of Judgement, he will come with seven hundred she-camels tied with nose-strings."

3185- It is narrated on the authority of Mu'adh Ibn Jabal from The Messenger of Allah "Allah's blessing and peace be upon him" that he said: "There are two kinds of fight (which should be ultimately in Allah's

الْجِهَادِ دُعِيَ مِنْ بَابِ الْجِهَادِ وَمَنْ كَانَ مِنْ أَهْلِ الصَّدَقَةِ دُعِيَ مِنْ بَابِ الصَّدَقَةِ وَمَنْ كَانَ مِنْ أَهْلِ الصِّيَامِ دُعِيَ مِنْ بَابِ الرَّيَّانِ» فَقَالَ أَبُو بَكْرٍ رَضِيَ ٱللَّهُ عَنْهُ: هَلْ عَلَى مَنْ دُعِيَ مِنْ هٰذِهِ الأَبْوَابِ مِنْ ضَرُورَةٍ فَهَلْ يُدْعَى أَحَدٌ مِنْ هٰذِهِ الأَبْوَابِ كُلِّهَا؟ قَالَ: **«نَعَمْ وَأَرْجُو أَنْ تَكُونَ مِنْهُمْ»**.

3181 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا بَقِيَّةُ عَنِ الأَوْزَاعِيِّ قَالَ: حَدَّثَنِي يَحْيَى عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا أَبُو سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ أَنْفَقَ زَوْجَيْنِ فِي سَبِيلِ ٱللَّهِ دَعَتْهُ خَزَنَةُ الْجَنَّةِ مِنْ أَبْوَابِ الْجَنَّةِ يَا فُلاَنُ هَلُمَّ فَٱدْخُلْ»** فَقَالَ أَبُو بَكْرٍ: يَا رَسُولَ ٱللَّهِ ذَاكَ الَّذِي لاَ تَوَى عَلَيْهِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنِّي لأَرْجُو أَنْ تَكُونَ مِنْهُمْ»**.

3182 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا بِشْرُ بْنُ الْمُفَضَّلِ عَنْ يُونُسَ عَنِ الْحَسَنِ عَنْ صَعْصَعَةَ بْنِ مُعَاوِيَةَ قَالَ: لَقِيتُ أَبَا ذَرٍّ قَالَ: قُلْتُ: حَدِّثْنِي قَالَ: نَعَمْ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَا مِنْ عَبْدٍ مُسْلِمٍ يُنْفِقُ مِنْ كُلِّ مَالٍ لَهُ زَوْجَيْنِ فِي سَبِيلِ ٱللَّهِ إِلاَّ ٱسْتَقْبَلَتْهُ حَجَبَةُ الْجَنَّةِ كُلُّهُمْ يَدْعُوهُ إِلَى مَا عِنْدَهُ»** قُلْتُ: وَكَيْفَ ذٰلِكَ؟ قَالَ: **«إِنْ كَانَتْ إِبِلاً فَبَعِيرَيْنِ وَإِنْ كَانَتْ بَقَراً فَبَقَرَتَيْنِ»**.

3183 ـ أَخْبَرَنَا أَبُو بَكْرِ بْنُ أَبِي النَّضْرِ قَالَ: حَدَّثَنَا أَبُو النَّضْرِ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ الأَشْجَعِيُّ عَنْ سُفْيَانَ الثَّوْرِيِّ عَنِ الرُّكَيْنِ الْفَزَارِيِّ عَنْ أَبِيهِ عَنْ يُسَيْرِ بْنِ عَمْرٍو عَنْ خُرَيْمِ بْنِ فَاتِكٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ أَنْفَقَ نَفَقَةً فِي سَبِيلِ ٱللَّهِ كُتِبَتْ لَهُ بِسَبْعِمِائَةِ ضِعْفٍ»**.

(46) ـ فَضْلُ الصَّدَقَةِ فِي سَبِيلِ الله عزّ وجلّ

3184 ـ أَخْبَرَنَا بِشْرُ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ سُلَيْمَانَ قَالَ: سَمِعْتُ أَبَا عَمْرٍو الشَّيْبَانِيَّ عَنْ أَبِي مَسْعُودٍ: أَنَّ رَجُلاً تَصَدَّقَ بِنَاقَةٍ مَخْطُومَةٍ فِي سَبِيلِ ٱللَّهِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«لَيَأْتِيَنَّ يَوْمَ الْقِيَامَةِ بِسَبْعِمِائَةِ نَاقَةٍ مَخْطُومَةٍ»**.

3185 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا بَقِيَّةُ عَنْ بَحِيرٍ عَنْ خَالِدٍ عَنْ أَبِي بَحْرِيَّةَ عَنْ مُعَاذِ بْنِ جَبَلٍ عَنْ رَسُولِ ٱللَّهِ ﷺ أَنَّهُ قَالَ: **«الْغَزْوُ غَزْوَانِ فَأَمَّا مَنِ ٱبْتَغَى وَجْهَ ٱللَّهِ**

Cause): he, who seeks the Countenance of Allah, obeys the leader, spends the best of his property, makes it easy for his partners to do their work, and avoids mischief, will receive reward for both his sleep and wakefulness; and he, who fights just in order to be seen and heard of men, and at the same time, he disobeys the leader and commits mischief in the land, will not return even with the minimum requirements (of living)."

[47] The Inviolability Of The Fighters' Women

3186- It is narrated on the authority of Sulaiman Ibn Buraidah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The women of the fighters in Allah's Cause should be as inviolable in the sight of the sitters as are their mothers; and no man succeeds a fighter in (looking after) his wife and he betrays him by having illegal relation with her, but that on the Day of Judgement, he will be made to stand in front of him, in order to take from his deed as much as he likes: then, what do you think? (Do you think he will leave anything of his good deeds for him?)"

[48] When A Sitter Betrays A Fighter By Having Illegal Relation With His Wife

3187- It is narrated on the authority of Sulaiman Ibn Buraidah from his father that The Messenger of Allah "Allah's blessing and peace be upon him" said: "The women of the fighters in Allah's Cause should be as inviolable in the sight of the sitters as are their mothers; and if anyone succeeds a fighter in (looking after) his wife and he betrays him by having illegal relation with her, on the Day of Judgement, it will be said to him: "This man has betrayed you by having illegal relation with your wife: take from his good deeds as much as you like." Then, what do you think? (Do you think he will leave anything of his good deeds for him?)"

3188- It is narrated on the authority of Ibn Buraidah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The women of the fighters in Allah's Cause should be as inviolable in the sight of the sitters as are their mothers; and no sitter succeeds a fighter in (looking after) his wife and he betrays him by having illegal relation with her, but that on the Day of Judgement, he will be made to stand in front of him, and it will be said to him (the fighter): 'O so and so! This is so and so (who has betrayed you): take from his good deeds as much as you like.'" Then, The Messenger of Allah "Allah's blessing and peace be upon him" turned to his companions and said: "What do you think? Do you think he will leave anything of his good deeds for him?"

وَأَطَاعَ الإِمَامَ وَأَنْفَقَ الْكَرِيمَةَ وَيَاسَرَ الشَّرِيكَ وَٱجْتَنَبَ الْفَسَادَ كَانَ نَوْمُهُ وَنُبْهُهُ أَجْراً كُلُّهُ وَأَمَّا مَنْ غَزَا رِيَاءً وَسُمْعَةً وَعَصَى الإِمَامَ وَأَفْسَدَ فِي الأَرْضِ فَإِنَّهُ لاَ يَرْجِعُ بِالْكَفَافِ».

(47) ـ حُرْمَةُ نِسَاءِ المُجَاهِدِينَ

3186 ـ أَخْبَرَنَا حُسَيْنُ بْنُ حُرَيْثٍ وَمَحْمُودُ بْنُ غَيْلاَنَ وَاللَّفْظُ لِحُسَيْنٍ قَالاَ: حَدَّثَنَا وَكِيعٌ عَنْ سُفْيَانَ عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «حُرْمَةُ نِسَاءِ الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ كَحُرْمَةِ أُمَّهَاتِهِمْ وَمَا مِنْ رَجُلٍ يَخْلُفُ فِي ٱمْرَأَةِ رَجُلٍ مِنَ الْمُجَاهِدِينَ فَيَخُونُهُ فِيهَا إِلاَّ وُقِفَ لَهُ يَوْمَ الْقِيَامَةِ فَأَخَذَ مِنْ عَمَلِهِ مَا شَاءَ فَمَا ظَنُّكُمْ».

(48) ـ مَنْ خَانَ غَازِياً فِي أَهْلِهِ

3187 ـ أَخْبَرَنِي هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا حَرَمِيُّ بْنُ عُمَارَةَ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «حُرْمَةُ نِسَاءِ الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ كَحُرْمَةِ أُمَّهَاتِهِمْ وَإِذَا خَلَفَهُ فِي أَهْلِهِ فَخَانَهُ قِيلَ لَهُ يَوْمَ الْقِيَامَةِ: هٰذَا خَانَكَ فِي أَهْلِكَ فَخُذْ مِنْ حَسَنَاتِهِ مَا شِئْتَ فَمَا ظَنُّكُمْ؟».

3188 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنَا قَعْنَب كُوفِيٌّ عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ عَنِ ٱبْنِ بُرَيْدَةَ عَنْ أَبِيهِ عَنِ النَّبِيِّ ﷺ قَالَ: «حُرْمَةُ نِسَاءِ الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ فِي الْحُرْمَةِ كَأُمَّهَاتِهِمْ وَمَا مِنْ رَجُلٍ مِنَ الْقَاعِدِينَ يَخْلُفُ رَجُلاً مِنَ الْمُجَاهِدِينَ فِي أَهْلِهِ إِلاَّ نُصِبَ لَهُ يَوْمَ الْقِيَامَةِ فَيُقَالُ: يَا فُلاَنُ هٰذَا فُلاَنٌ فَخُذْ مِنْ حَسَنَاتِهِ مَا شِئْتَ». ثُمَّ الْتَفَتَ النَّبِيُّ ﷺ إِلَى أَصْحَابِهِ فَقَالَ: «مَا ظَنُّكُمْ تُرَوْنَ يَدَعُ لَهُ مِنْ حَسَنَاتِهِ شَيْئاً؟».

3189- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Strive to the utmost of your power with your hands, tongues and property."

3190- It is narrated on the authority of Abdullah from The Messenger of Allah "Allah's blessing and peace be upon him" that he ordered that the female-snakes be killed and said: "He, who fears their vengeance does not belong to us."

3191- It is narrated on the authority of Abdullah Ibn Abdullah Ibn Jabr from his father that The Messenger of Allah "Allah's blessing and peace be upon him" came to pay a visit to Jabr to enquire about his health, and when he entered he heard the women weeping and crying: "We have thought you would die because of being killed (as a martyr) in the Cause of Allah Almighty." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "What do you regard martyrdom in your sight? Do you think it is only to be killed in Allah's Cause? If this is true, then, your martyrs will be very few! No doubt, to be killed in the Cause of Allah Almighty is martyrdom; to die because of severe abdominal disease is (a kind of) martyrdom; to die because of burning is (a kind of) martyrdom; to die because of drowning is (a kind of) martyrdom; to die because of falling under ruins is (a kind of) martyrdom; to die because of madness is (a kind of) martyrdom; and a woman who dies with what is in her womb (i.e. the pregnant) is a martyr." A man said: "Are you weeping even though the Messenger of Allah "Allah's blessing and peace be upon him" is sitting?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let them, and when it (death) becomes certain, let none weep!"

3192- It is narrated on the authority of Jabr that he entered upon a would-be dead in the company of the Messenger of Allah "Allah's blessing and peace be upon him" and the women were weeping. Jabr said: "Are you weeping even though the Messenger of Allah "Allah's blessing and peace be upon him" is sitting?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let them weep as long as he is still (living) among them; and if it (death) becomes certain, then, let none weep at all."

3189 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ حُمَيْدٍ عَنْ أَنَسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«جَاهِدُوا بِأَيْدِيكُمْ وَأَلْسِنَتِكُمْ وَأَمْوَالِكُمْ»**.

3190 ـ أَخْبَرَنَا أَبُو مُحَمَّدٍ مُوسَى بْنُ مُحَمَّدٍ هُوَ الشَّامِيُّ قَالَ: حَدَّثَنَا مَيْمُونُ بْنُ الأَصْبَغِ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ قَالَ: أَنْبَأَنَا شَرِيكٌ عَنْ أَبِي إِسْحَاقَ عَنِ الْقَاسِمِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ أَبِيهِ عَنْ عَبْدِ ٱللَّهِ رَضِيَ ٱللَّهُ عَنْهُ عَنْ رَسُولِ ٱللَّهِ ﷺ أَنَّهُ أَمَرَ بِقَتْلِ الْحَيَّاتِ وَقَالَ: **«مَنْ خَافَ ثَأْرَهُنَّ فَلَيْسَ مِنَّا»**.

3191 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ عَوْنٍ عَنْ أَبِي عُمَيْسٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ بْنِ جَبْرٍ عَنْ أَبِيهِ أَنَّ رَسُولَ ٱللَّهِ ﷺ دَعَا جَبْراً فَلَمَّا دَخَلَ سَمِعَ النِّسَاءَ يَبْكِينَ وَيَقُلْنَ كُنَّا نَحْسُبُ وَفَاتَكَ قَتْلاً فِي سَبِيلِ ٱللَّهِ فَقَالَ: **«وَمَا تَعُدُّونَ الشَّهَادَةَ إِلاَّ مَنْ قُتِلَ فِي سَبِيلِ ٱللَّهِ إِنَّ شُهَدَاءَكُمْ إِذاً لَقَلِيلٌ الْقَتْلُ فِي سَبِيلِ ٱللَّهِ شَهَادَةٌ وَالْبَطْنُ شَهَادَةٌ وَالْحَرَقُ شَهَادَةٌ وَالْغَرَقُ شَهَادَةٌ وَالْمَغْمُومُ يَعْنِي الْهَدِمَ شَهَادَةٌ وَالْمَجْنُونُ شَهَادَةٌ وَالْمَرْأَةُ تَمُوتُ بِجُمْعٍ شَهِيدَةٌ»** قَالَ رَجُلٌ: أَتَبْكِينَ وَرَسُولُ ٱللَّهِ ﷺ قَاعِدٌ؟ قَالَ: **«دَعْهُنَّ فَإِذَا وَجَبَ فَلاَ تَبْكِيَنَّ عَلَيْهِ بَاكِيَةٌ»**.

3192 ـ أَخْبَرَنَا أَحْمَدُ بْنُ يَحْيَى قَالَ: حَدَّثَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا دَاوُدُ يَعْنِي الطَّائِيَّ عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ عَنْ جَبْرٍ: أَنَّهُ دَخَلَ مَعَ رَسُولِ ٱللَّهِ ﷺ عَلَى مَيِّتٍ فَبَكَى النِّسَاءُ فَقَالَ جَبْرٌ: أَتَبْكِينَ مَا دَامَ رَسُولُ ٱللَّهِ ﷺ جَالِساً؟ قَالَ: **«دَعْهُنَّ يَبْكِينَ مَا دَامَ بَيْنَهُنَّ فَإِذَا وَجَبَ فَلاَ تَبْكِيَنَّ بَاكِيَةٌ»**.

(26) THE BOOK OF MARRIAGE

[1] The Prophet's Wives, And What Was Made Lawful For Him

3193- It is narrated on the authority of Ata' that he said: We attended with Ibn Abbas the funeral procession of Maimunah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him" at Sarif, thereupon Ibn Abbas said: "This is (the dead body of) Maimunah: when you raise her body, do not tremble nor shake it. Indeed, the Messenger of Allah "Allah's blessing and peace be upon him" had nine wives, and he used to visit eight of them by turns, (i.e. to fix a day-and-a-night turn to everyone of them), and he fixed no day-and-night turn to the remaining one.

3194- It is narrated on the authority of Ibn Abbas that he said: the Messenger of Allah "Allah's blessing and peace be upon him" died while having nine wives, and he used to (go round them and) have sexual relations with them barring Sawdah (Bint Zam'ah), who granted her day (and night turn) to A'ishah.

3195- It is narrated on the authority of Anas that (so many times) the Messenger of Allah "Allah's blessing and peace be upon him" went round his wives (and had sexual relations with them all) on one night; and at that time, he had nine wives.

3196- It is narrated on the authority of A'ishah that she said: I used to criticize (and look down upon) those ladies who granted themselves to the Messenger of Allah "Allah's blessing and peace be upon him" and say: "Should a lady grant herself (to a man)?" But even, Allah Almighty revealed: " You may defer (the turn of) any of them that you please, and you may receive any that you please: and there is no blame on you if you invite one whose (turn) you had set aside." (Al-Ahzab 51) on that I said: "I do not think but that your Lord hastens on to fulfill your desires."

3197- It is narrated on the authority of Sahl Ibn Sa'd that he said: While I was sitting among the people a lady said: "I've granted myself to you O Messenger of Allah! Make your decision pertaining to me." A man stood and said: "Give her to me in marriage." He said to him: "Go and seek (a dower of) even an iron ring." He went and found nothing, not even an iron ring. On that the Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Do you have (and keep by heart) any Surahs from the Holy Qur'an?" he answered in the affirmative, thereupon he gave her to him in marriage for such Surahs from the Holy Qur'an as he had (and kept by heart).

(26) ـ كِتَابُ النِّكَاحِ

(1) ـ ذِكْرُ أَمْرِ رَسُولِ الله ﷺ في النِّكَاحِ وأَزْوَاجِهِ وما أَبَاحَ الله عزّ وجلّ لنَبِيِّهِ ﷺ وحَظْرِهِ على خَلْقِهِ زِيَادَةً في كَرَامَتِهِ وتَنْبِيهاً لفَضِيلَتِهِ

3193 ـ أَخْبَرَنَا أَبُو دَاوُدَ سُلَيْمَانُ بْنُ سَيْفٍ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ عَوْنٍ قَالَ: أَنْبَأَنَا ٱبْنُ جُرَيْجٍ عَنْ عَطَاءٍ قَالَ: حَضَرْنَا مَعَ ٱبْنِ عَبَّاسٍ جَنَازَةَ مَيْمُونَةَ زَوْجِ النَّبِيِّ ﷺ بِسَرِفَ فَقَالَ ٱبْنُ عَبَّاسٍ: هٰذِهِ مَيْمُونَةُ إِذَا رَفَعْتُمْ جَنَازَتَهَا فَلاَ تُزَعْزِعُوهَا وَلاَ تُزَلْزِلُوهَا فَإِنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ مَعَهُ تِسْعُ نِسْوَةٍ فَكَانَ يَقْسِمُ لِثَمَانٍ وَوَاحِدَةٌ لَمْ يَكُنْ يَقْسِمُ لَهَا.

3194 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا ٱبْنُ مَرْيَمَ قَالَ: أَنْبَأَنَا سُفْيَانُ قَالَ: حَدَّثَنِي عَمْرُو بْنُ دِينَارٍ عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: تُوُفِّيَ رَسُولُ ٱللَّهِ ﷺ وَعِنْدَهُ تِسْعُ نَسْوَةٍ يُصِيبُهُنَّ إِلاَّ سَوْدَةَ فَإِنَّهَا وَهَبَتْ يَوْمَهَا وَلَيْلَتَهَا لِعَائِشَةَ.

3195 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ عَنْ يَزِيدَ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ أَنَّ أَنَساً حَدَّثَهُمْ: أَنَّ النَّبِيَّ ﷺ كَانَ يَطُوفُ عَلَى نِسَائِهِ فِي اللَّيْلَةِ الْوَاحِدَةِ وَلَهُ يَوْمَئِذٍ تِسْعُ نِسْوَةٍ.

3196 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ الْمُخَرَّمِيُّ قَالَ: حَدَّثَنَا أَبُو أُسَامَةَ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: كُنْتُ أَغَارُ عَلَى اللاَّتِي وَهَبْنَ أَنْفُسَهُنَّ لِلنَّبِيِّ ﷺ فَأَقُولُ: أَوَ تَهَبُ الْحُرَّةُ نَفْسَهَا فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ: ﴿تُرْجِي مَن تَشَآءُ مِنْهُنَّ وَتُـْٔوِيٓ إِلَيْكَ مَن تَشَآءُ﴾ [الأحزاب: 51]. قُلْتُ: وَٱللَّهُ مَا أَرَى رَبَّكَ إِلاَّ يُسَارِعُ لَكَ فِي هَوَاكَ.

3197 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ الْمُقْرِىءُ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنَا أَبُو حَازِمٍ عَنْ سَهْلِ بْنِ سَعْدٍ قَالَ: أَنَا فِي الْقَوْمِ إِذْ قَالَتِ ٱمْرَأَةٌ: إِنِّي قَدْ وَهَبْتُ نَفْسِي لَكَ يَا رَسُولَ ٱللَّهِ فَرَأْ فِيَّ رَأْيَكَ فَقَامَ رَجُلٌ فَقَالَ: زَوِّجْنِيهَا فَقَالَ: **«ٱذْهَبْ فَاطْلُبْ وَلَوْ خَاتَماً مِنْ حَدِيدٍ»** فَذَهَبَ فَلَمْ يَجِدْ شَيْئاً وَلاَ خَاتَماً مِنْ حَدِيدٍ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«أَمَعَكَ مِنْ سُوَرِ الْقُرْآنِ شَيْءٌ؟»** قَالَ: نَعَمْ قَالَ: فَزَوَّجَهُ بِمَا مَعَهُ مِنْ سُوَرِ الْقُرْآنِ.

[2] What Was Made Lawful By Allah For His Messenger, Even Though Unlawful For His Creatures

3198- It is narrated on the authority of A'ishah, the wife of The Messenger of Allah "Allah's blessing and peace be upon him" that she said: When The Messenger of Allah "Allah's blessing and peace be upon him" was ordered by Allah to give his wives the freedom of choice (either to remain with him or to depart from him), The Messenger of Allah "Allah's blessing and peace be upon him" started with me, saying: "I am going to tell you something to which you should give no hasty reply before consulting your parents", though he knows that my parents were not to order me to depart from him. A'ishah added: He (The Prophet) said: "Allah said: "O Prophet! Say to your Consorts: 'If it be that you desire the life of this world, and its glitter, then come I will provide for your enjoyment and set free in a handsome manner. But if you seek Allah and His Messenger, and the Home of the Hereafter, verily Allah has prepared for the well-doers amongst you a great reward.'"" (Al-Ahzab 28:29) I said: "What is that on which I should take my parents' opinion? Of course I want Allah, His Messenger, and the hereafter."

3199- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" gave his wives the freedom of choice (whether to remain with or depart from him); and this was not considered as divorce (since it was based upon the wife's choice to remain or leave).

3200- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" gave us (his wives) the freedom of choice (to remain with or depart from him); and of a surety, we chose (to remain with) him; and in this way, it was not a divorce.

3201- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" did not die before (marrying more) women was made lawful for him. (She refers here to Allah's statement: " O Prophet! We have made lawful to you your wives to whom you have paid their dowers" (Al-Ahzab 50) which abrogated His statement: " It is not lawful for you (to marry more) women after this, nor to change them for (other) wives, even though their beauty attract you, except any that your right hand should possess (as hand-maidens): and Allah does watch over all things." (52))

3202- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" did not die before Allah made lawful for him to marry such of women as he willed.

(2) ـ ما افْتَرَضَ الله عزّ وجلّ على رَسُولِهِ عليه السلامُ وحَرَّمَهُ على خَلْقِهِ لِيَزِيدَهُ إن شاءَ الله قُرْبَةً إليه

3198 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ يَحْيَى بْنِ عَبْدِ ٱللَّهِ بْنِ خَالِدٍ النَّيْسَابُورِيُّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ مُوسَى بْنِ أَعْيَنَ قَالَ: حَدَّثَنَا أَبِي عَنْ مَعْمَرٍ عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنَا أَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمٰنِ عَنْ عَائِشَةَ زَوْجِ النَّبِيِّ ﷺ: أَنَّهَا أَخْبَرَتْهُ أَنَّ رَسُولَ ٱللَّهِ ﷺ جَاءَهَا حِينَ أَمَرَهُ ٱللَّهُ أَنْ يُخَيِّرَ أَزْوَاجَهُ قَالَتْ عَائِشَةُ: فَبَدَأَ بِي رَسُولُ ٱللَّهِ ﷺ فَقَالَ: **«إِنِّي ذَاكِرٌ لَكِ أَمْراً فَلاَ عَلَيْكِ أَنْ لاَ تُعَجِّلِي حَتَّى تَسْتَأْمِرِي أَبَوَيْكِ»** قَالَتْ: وَقَدْ عَلِمَ أَنَّ أَبَوَيَّ لاَ يَأْمُرَانِي بِفِرَاقِهِ ثُمَّ قَالَ رَسُولُ اللَّهِ ﷺ: **«يَا أَيُّهَا النَّبِيُّ قُلْ لأَزْوَاجِكَ إِنْ كُنْتُنَّ تُرِدْنَ الْحَيَاةَ الدُّنْيَا وَزِينَتَهَا فَتَعَالَيْنَ أُمَتِّعْكُنَّ»** فَقُلْتُ: فِي هٰذَا أَسْتَأْمِرُ أَبَوَيَّ؟! فَإِنِّي أُرِيدُ ٱللَّهَ وَرَسُولَهُ وَالدَّارَ الآخِرَةَ.

3199 ـ أَخْبَرَنَا بِشْرُ بْنُ خَالِدٍ الْعَسْكَرِيُّ قَالَ: حَدَّثَنَا غُنْدَرٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ سُلَيْمَانَ قَالَ: سَمِعْتُ أَبَا الضُّحَى عَنْ مَسْرُوقٍ عَنْ عَائِشَةَ رَضِيَ ٱللَّهُ عَنْهَا قَالَتْ: قَدْ خَيَّرَ رَسُولُ ٱللَّهِ ﷺ نِسَاءَهُ أَوَ كَانَ طَلاَقاً؟!.

3200 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ عَنْ سُفْيَانَ عَنْ إِسْمَاعِيلَ عَنِ الشَّعْبِيِّ عَنْ مَسْرُوقٍ عَنْ عَائِشَةَ قَالَتْ: خَيَّرَنَا رَسُولُ ٱللَّهِ ﷺ فَٱخْتَرْنَاهُ فَلَمْ يَكُنْ طَلاَقاً.

3201 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ عَنْ سُفْيَانَ قَالَ: حَفِظْنَاهُ مِنْ عَمْرٍو عَنْ عَطَاءٍ قَالَ: قَالَتْ عَائِشَةُ: مَا مَاتَ رَسُولُ ٱللَّهِ ﷺ حَتَّى أُحِلَّ لَهُ النِّسَاءُ.

3202 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا أَبُو هِشَامٍ وَهُوَ الْمُغِيرَةُ بْنُ سَلَمَةَ الْمَخْزُومِيُّ قَالَ: حَدَّثَنَا وُهَيْبٌ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ عَنْ عَطَاءٍ عَنْ عُبَيْدِ بْنِ عُمَيْرٍ عَنْ عَائِشَةَ قَالَتْ: مَا تُوُفِّيَ رَسُولُ ٱللَّهِ ﷺ حَتَّى أَحَلَّ ٱللَّهُ لَهُ أَنْ يَتَزَوَّجَ مِنَ النِّسَاءِ مَا شَاءَ.

[3] The Exhortation To Marry

3203- It is narrated on the authority of Alqamah that he said: I was with Abdullah Ibn Mas'ud when he was in Uthman's house, thereupon Uthman said: Once, The Messenger of Allah "Allah's blessing and peace be upon him" came out to some young men and said to them: " whoever among you has got the therewithal, let him marry, for marriage makes one more fitting to refrain his sight (from looking at such of women as unlawful for him) and safeguard his private parts (from committing what is shameful); and whoever has not got the therewithal, let him observe fasts, for fasting diminishes his sexual power."

3204- It is narrated on the authority of Alqamah that Uthman said to Ibn Mas'ud: " Shall we marry you to a virgin (who will get you remember your past days)?" (When Abdullah saw that there was no need for sitting with him alone) Abdullah invited Alqamah (to sit with them) and reported that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever can afford to marry, let him marry, because it helps him refrain his sight from looking (at such of women as unlawful for him), and guard his private parts from committing adultery, and whoever cannot afford to marry, let him observe fasts, because fasting diminishes his sexual power."

3205- It is narrated on the authority of Abdullah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said to us: "Whoever among you can afford to marry, let him marry, because it helps him refrain his sight from looking (at such of women as unlawful for him), and guard his private parts from committing adultery, and whoever cannot afford to marry, let him observe fasts, because fasting diminishes his sexual power."

3206- It is narrated on the authority of Abdullah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said to us: "O community of young men! Whoever among you can afford to marry, let him marry, because it helps him refrain his sight from looking (at such of women as unlawful for him), and guard his private parts from committing adultery, and whoever cannot afford to marry, let him fast, because fasting diminishes his sexual power."

3207- It is narrated on the authority of Abdullah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said to us: "O community of young men! Whoever among you can afford to marry, let him marry, because it helps him refrain his sight from looking (at such of women as unlawful for him), and guard his private parts from committing adultery,

(3) ـ الحَثُّ على النِّكَاحِ

3203 ـ أَخْبَرَنَا عَمْرُو بْنُ زُرَارَةَ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنَا يُونُسُ عَنْ أَبِي مَعْشَرٍ عَنْ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ قَالَ: كُنْتُ مَعَ ٱبْنِ مَسْعُودٍ وَهُوَ عِنْدَ عُثْمَانَ رَضِيَ ٱللَّهُ عَنْهُ فَقَالَ عُثْمَانُ: خَرَجَ رَسُولُ ٱللَّهِ ﷺ عَلَى فِتْيَةٍ قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: فَلَمْ أَفْهَمْ فِتْيَةً كَمَا أَرَدْتُ فَقَالَ: **«مَنْ كَانَ مِنْكُمْ ذَا طَوْلٍ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغَضُّ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ وَمَنْ لاَ فَالصَّوْمُ لَهُ وِجَاءٌ»**.

3204 ـ أَخْبَرَنَا بِشْرُ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ عَنْ شُعْبَةَ عَنْ سُلَيْمَانَ عَنْ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ أَنَّ عُثْمَانَ قَالَ لابْنِ مَسْعُودٍ: هَلْ لَكَ فِي فَتَاةٍ أُزَوِّجُكَهَا؟ فَدَعَا عَبْدُ ٱللَّهِ عَلْقَمَةَ فَحَدَّثَ أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَنِ ٱسْتَطَاعَ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغَضُّ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ وَمَنْ لَمْ يَسْتَطِعْ فَلْيَصُمْ فَإِنَّهُ لَهُ وِجَاءٌ»**.

3205 ـ أَخْبَرَنِي هَارُونُ بْنُ إِسْحَاقَ الْهَمْدَانِيُّ الْكُوفِيُّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مُحَمَّدٍ الْمُحَارِبِيُّ عَنِ الأَعْمَشِ عَنْ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ وَالأَسْوَدُ عَنْ عَبْدِ ٱللَّهِ قَالَ: قَالَ لَنَا رَسُولُ ٱللَّهِ ﷺ: **«مَنِ ٱسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وِجَاءٌ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: الأَسْوَدُ فِي هٰذَا الْحَدِيثِ لَيْسَ بِمَحْفُوظٍ.

3206 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الأَعْمَشِ عَنْ عُمَارَةَ بْنِ عُمَيْرٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ عَنْ عَبْدِ ٱللَّهِ قَالَ: قَالَ لَنَا رَسُولُ ٱللَّهِ ﷺ: **«يَا مَعْشَرَ الشَّبَابِ مَنِ ٱسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَنْكِحْ فَإِنَّهُ أَغَضُّ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ وَمَنْ لاَ فَلْيَصُمْ فَإِنَّ الصَّوْمَ لَهُ وِجَاءٌ»**.

3207 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ عُمَارَةَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ عَنْ عَبْدِ ٱللَّهِ قَالَ: قَالَ لَنَا رَسُولُ ٱللَّهِ ﷺ: **«يَا مَعْشَرَ**

and whoever cannot afford to marry, let him fast, because fasting diminishes his sexual power."

3208- It is narrated on the authority of Alqamah that he said: While I was walking with Abdullah at Mina, Uthman met him and got up with him in order to talk to him. Uthman said: "O Abu Abd Ar-Rahman! Shall we marry you to a virgin who will get you remember your past days?" Abdullah said: "Since you said that, (then let me tell you that) The Messenger of Allah "Allah's blessing and peace be upon him" said to us: "O community of young men! Whoever among you can afford to marry, let him marry..."

[4] It Is Forbidden To Live In Celibacy

3209- It is narrated on the authority of Sa'd that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Uthman Ibn Maz'un to live in celibacy, and had he given him permission (to do so), surely, we would have got ourselves castrated.

3210- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade living in celibacy.

3211- It is narrated on the authority of Samurah Ibn Jundub from the Messenger of Allah "Allah's blessing and peace be upon him" that he forbade living in celibacy.

3112- It is narrated on the authority of Abu Hurairah that he said: I said: "O Messenger of Allah! I'm a young man, and I fear that I might be ruined (by falling in adultery) and at the same time, I have got no therewithal to marry women: should I get myself castrated?" the Messenger of Allah "Allah's blessing and peace be upon him" turned away from him until he said that thrice, after which the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "O Abu Hurairah! The pen (of writing the Divine Decrees) had dried (and finished from writing) what is doomed to you to receive: so, (it is the same for you whether to) get yourself castrated (if you so like), or leave that (if you so like)."

3213- It is narrated on the authority of Sa'd Ibn Hisham that he said: I visited A'ishah, the Mother of the Believers, and said: "I like to ask you about living in celibacy: what is your opinion pertaining to it?" she said: "Do not do so. Have you not heard Allah's Holy Statement: "We did send Messengers before you, and appointed for them wives and children" (Ar-Ra'd 38)? So, do not live in celibacy.

3214- It is narrated on the authority of Anas Ibn Malik that he said: One of the companions of The Prophet "Allah's blessing and peace be upon him"

الشَّبَابِ مَنِ ٱسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ» وَسَاقَ الْحَدِيثَ.

3208 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ قَالَ: كُنْتُ أَمْشِي مَعَ عَبْدِ ٱللَّهِ بِمِنًى فَلَقِيَهُ عُثْمَانُ فَقَامَ مَعَهُ يُحَدِّثُهُ فَقَالَ: يَا أَبَا عَبْدِ الرَّحْمٰنِ أَلاَ أُزَوِّجُكَ جَارِيَةً شَابَّةً فَلَعَلَّهَا أَنْ تُذَكِّرَكَ بَعْضَ مَا مَضَى مِنْكَ؟ فَقَالَ عَبْدُ اللَّهِ: أَمَّا لَئِنْ قُلْتَ ذَاكَ لَقَدْ قَالَ لَنَا رَسُولُ ٱللَّهِ ﷺ: «يَا مَعْشَرَ الشَّبَابِ مَنِ ٱسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ».

(4) ـ النَّهْيُ عن التَّبَتُّلِ

3209 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ عَنْ مَعْمَرٍ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ قَالَ: لَقَدْ رَدَّ رَسُولُ ٱللَّهِ ﷺ عَلَى عُثْمَانَ التَّبَتُّلَ وَلَوْ أَذِنَ لَهُ لاَخْتَصَيْنَا.

3210 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ أَشْعَثَ عَنِ الْحَسَنِ عَنْ سَعْدِ بْنِ هِشَامٍ عَنْ عَائِشَةَ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنِ التَّبَتُّلِ».

3211 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا مُعَاذُ بْنُ هِشَامٍ قَالَ: حَدَّثَنِي أَبِي عَنْ قَتَادَةَ عَنِ الْحَسَنِ عَنْ سَمُرَةَ بْنِ جُنْدُبٍ عَنِ النَّبِيِّ ﷺ: «أَنَّهُ نَهَى عَنِ التَّبَتُّلِ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: قَتَادَةُ أَثْبَتُ وَأَحْفَظُ مِنْ أَشْعَثَ وَحَدِيثُ أَشْعَثَ أَشْبَهُ بِالصَّوَابِ وَٱللَّهُ تَعَالَى أَعْلَمُ.

3212 ـ أَخْبَرَنَا يَحْيَى بْنُ مُوسَى قَالَ: حَدَّثَنَا أَنَسُ بْنُ عِيَاضٍ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ أَنَّ أَبَا هُرَيْرَةَ قَالَ: قُلْتُ: يَا رَسُولَ ٱللَّهِ إِنِّي رَجُلٌ شَابٌّ قَدْ خَشِيتُ عَلَى نَفْسِي الْعَنَتَ وَلاَ أَجِدُ طَوْلاً أَتَزَوَّجُ النِّسَاءَ أَفَأَخْتَصِي فَأَعْرَضَ عَنْهُ النَّبِيُّ ﷺ حَتَّى قَالَ ثَلاَثاً فَقَالَ النَّبِيُّ ﷺ: «يَا أَبَا هُرَيْرَةَ جَفَّ الْقَلَمُ بِمَا أَنْتَ لاَقٍ فَاخْتَصِ عَلَى ذٰلِكَ أَوْ دَعْ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: الأَوْزَاعِيُّ لَمْ يَسْمَعْ هٰذَا الْحَدِيثَ مِنَ الزُّهْرِيِّ وَهٰذَا حَدِيثٌ صَحِيحٌ قَدْ رَوَاهُ يُونُسُ عَنِ الزُّهْرِيِّ.

3213 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ الْخَلَنْجِيُّ قَالَ: حَدَّثَنَا أَبُو سَعِيدٍ مَوْلَى بَنِي هَاشِمٍ قَالَ: حَدَّثَنَا حُصَيْنُ بْنُ نَافِعٍ الْمَازِنِيُّ قَالَ: حَدَّثَنِي الْحَسَنُ عَنْ سَعْدِ بْنِ هِشَامٍ: أَنَّهُ دَخَلَ عَلَى أُمِّ الْمُؤْمِنِينَ عَائِشَةَ قَالَ: قُلْتُ إِنِّي أُرِيدُ أَنْ أَسْأَلَكِ عَنِ التَّبَتُّلِ فَمَا تَرَيْنَ فِيهِ؟ قَالَتْ: فَلاَ تَفْعَلْ أَمَا سَمِعْتَ ٱللَّهَ عَزَّ وَجَلَّ يَقُولُ: ﴿وَلَقَدْ أَرْسَلْنَا رُسُلًا مِّن قَبْلِكَ وَجَعَلْنَا لَهُمْ أَزْوَاجًا وَذُرِّيَّةً﴾ [الرعد: 38] فَلاَ تَتَبَتَّلْ.

3214 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَفَّانُ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ ثَابِتٍ عَنْ أَنَسٍ: أَنَّ نَفَراً مِنْ أَصْحَابِ النَّبِيِّ ﷺ قَالَ بَعْضُهُمْ: لاَ أَتَزَوَّجُ النِّسَاءَ

said: "I will never marry women." Another one said: "I will never eat the meat." A third one said: "I will never lie down on bed." A fourth said: "I will observe fasts and I will never leave fasting." When Allah's Apostle "Allah's blessing and peace be upon him" was informed of that, he praised Allah and lauded Him. then he said: "What about some people who say so-and-so? No doubt, I perform prayer (at night) and sleep, I fast (for some time) and leave fasting (for some time), and I also marry women. So he, who abandons my sunnah, is not from me (not one of my followers)."

[5] Allah Aids Such As Intends To Marry Seeking Chastity

3215- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is incumbent upon Allah to aid three persons: the slave who has a deed from his master to be emancipated in return for a certain sum, and he seeks to afford (for his manumission); such as intends to marry, seeking chastity (to abstain from doing what is forbidden); and the fighter in the Cause of Allah."

[6] Marrying The Virgins

3216- It is narrated on the authority of Jabir that he said: I got married and then I went to The Messenger of Allah "Allah's blessing and peace be upon him", who asked me: "Have you got married O Jabir?" I answered in the affirmative. He further asked: "(Have you got married to) a virgin or a matron (previously married woman)?" I said: "(I've got married to) a matron." On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Why have you not got married to a virgin so that you would play with her as well as she with you?"

3217- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" met me and asked me: "O Jabir! Have you got married to a woman after I (had left you)?" I said: "Yes O Messenger of Allah." He further asked: "(Have you got married to) a virgin or a matron (previously married woman)?" I said: "(I've got married to) a matron." On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Why have you not got married to a virgin so that you would play with her as well as she with you?"

[7] A Woman Marries Such Of Men As Is Nearly Of The Same Age

3218- It is narrated on the authority of Abdullah Ibn Buraidah from his father that both Abu Bakr and Umar proposed to marry Fatimah (daughter of the Messenger of Allah), thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "She is too young (to be married to

وَقَالَ بَعْضُهُمْ: لاَ آكُلُ اللَّحْمَ وَقَالَ بَعْضُهُمْ: لاَ أَنَامُ عَلَى فِرَاشٍ وَقَالَ بَعْضُهُمْ: أَصُومُ فَلاَ أُفْطِرُ فَبَلَغَ ذٰلِكَ رَسُولَ ٱللَّهِ ﷺ فَحَمِدَ ٱللَّهَ وَأَثْنَى عَلَيْهِ ثُمَّ قَالَ: **«مَا بَالُ أَقْوَامٍ يَقُولُونَ كَذَا وَكَذَا؟ لٰكِنِّي أُصَلِّي وَأَنَامُ وَأَصُومُ وَأُفْطِرُ وَأَتَزَوَّجُ النِّسَاءَ فَمَنْ رَغِبَ عَنْ سُنَّتِي فَلَيْسَ مِنِّي»**.

(5) ـ بَابُ مَعُونَةِ اللهِ النَّاكِحَ الَّذِي يُرِيدُ العَفَافَ

3215 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ مُحَمَّدِ بْنِ عَجْلاَنَ عَنْ سَعِيدٍ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«ثَلاَثَةٌ حَقٌّ عَلَى ٱللَّهِ عَزَّ وَجَلَّ عَوْنُهُمْ الْمُكَاتَبُ الَّذِي يُرِيدُ الأَدَاءَ وَالنَّاكِحُ الَّذِي يُرِيدُ الْعَفَافَ وَالْمُجَاهِدُ فِي سَبِيلِ ٱللَّهِ»**.

(6) ـ نِكَاحُ الأَبْكَارِ

3216 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ عَمْرٍو عَنْ جَابِرٍ قال: تَزَوَّجْتُ فَأَتَيْتُ النَّبِيَّ ﷺ فَقَالَ: **«أَتَزَوَّجْتَ يَا جَابِرُ؟»** قُلْتُ: نَعَمْ قَالَ: **«بِكْراً أَمْ ثَيِّباً؟»** فَقُلْتُ: ثَيِّباً قَالَ: **«فَهَلاَّ بِكْراً تُلاَعِبُهَا وَتُلاَعِبُكَ»**.

3217 ـ أَخْبَرَنَا الْحَسَنُ بْنُ قَزَعَةَ قَالَ: حَدَّثَنَا سُفْيَانُ وَهُوَ ٱبْنُ حَبِيبٍ عَنِ ٱبْنِ جُرَيْجٍ عَنْ عَطَاءٍ عَنْ جَابِرٍ قَالَ: لَقِيَنِي رَسُولُ ٱللَّهِ ﷺ فَقَالَ: **«يَا جَابِرُ هَلْ أَصَبْتَ ٱمْرَأَةً بَعْدِي؟»** قُلْتُ: نَعَمْ يَا رَسُولَ ٱللَّهِ قَالَ: **«أَبِكْراً أَمْ أَيِّماً؟»** قُلْتُ: أَيِّماً قَالَ: **«فَهَلاَّ بِكْراً تُلاَعِبُكَ»**.

(7) ـ تَزَوُّجُ المَرْأَةِ مِثْلَهَا فِي السِّنِّ

3218 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ حُرَيْثٍ قَالَ: حَدَّثَنَا الْفَضْلُ بْنُ مُوسَى عَنِ الْحُسَيْنِ بْنِ وَاقِدٍ عَنْ عَبْدِ ٱللَّهِ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ: خَطَبَ أَبُو بَكْرٍ وَعُمَرُ رَضِيَ ٱللَّهُ عَنْهُمَا فَاطِمَةَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنَّهَا صَغِيرَةٌ»**.

anyone of you)." But when Ali proposed to marry her, he gave her to him in marriage (for he was nearly of the same age).

[8] A Freed Slave Could Marry An Arab Lady

(This means that the equivalence required for marriage is based upon the equality in religion, and not social status as some might like to do).

3219- It is narrated on the authority of Ubaidullah Ibn Abdullah Ibn Utbah that during the caliphate of Uthman, Abdullah Ibn Amr Ibn Uthman divorced irrevocably while he was still a young man the daughter of Sa'id Ibn Zaid, whose mother was the daughter of Qais. Her aunt, Fatimah Bint Qais sent to her with the command to leave the house of Abdullah Ibn Amr, and when Marwan heard of that, and ordered her to return to her house, and asked her what had led her to leave her house, before she spent the period of her Iddat in the house (and wait in the house) until her Iddat finished, she sent to him with the message that it was her maternal aunt who ordered her to do so. Fatimah Bint Qais pretended that she was the wife of Abu Amr Ibn Hafs. When The Messenger of Allah "Allah's blessing and peace be upon him" appointed Ali Ibn Abu Talib as the governor of Yemen, this (Abu Amr) set out with him, and sent to her (Fatimah) with the remaining and final divorce, and he further ordered both Al-Harith Ibn Hisham and Ayyash Ibn Abu Rabie'ah to maintain spending for her. She sent to both Al-Harith and Ayyash, asking them to give her what her husband had ordered them to give her, thereupon they said: "By Allah, no spending for her is due upon us, unless she is pregnant, and she has no right to remain in our house unless it is with our permission." She pretended that she went to The Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, and he confirmed their statement. Fatimah said to him: "Then, where should I go O Messenger of Allah?" he said: "Go to (the house of) Ibn Umm Maktum, the blind, as Allah Almighty had named him in His Book." Fatimah added: so, I spent the period of my Iddat in his house, and he was a man who lost his sight, and thus I was able to put off my (outer) garment. (She remained so) until The Messenger of Allah "Allah's blessing and peace be upon him" gave her in marriage to Usamah Ibn Zaid. However, Marwan rejected that verdict which she gave (to her niece), and he said in that respect: "I did not hear that narration from anyone before you, and then I shall adopt, in this case, the way which we've found the people following."

3220- It is narrated on the authority of A'ishah that Abu Hudhaifah Ibn Utbah Ibn Rabie'ah Ibn Abd Shams, and he was one of those who attended (the holy battle of) Badr with The Messenger of Allah "Allah's blessing and

فَخَطَبَهَا عَلِيٌّ فَزَوَّجَهَا مِنْهُ.

(8) ـ تَزَوُّجُ المَوْلَى العَرَبِيَّةَ

3219 ـ أَخْبَرَنَا كَثِيرُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ حَرْبٍ عَنِ الزُّبَيْدِيِّ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ: أَنَّ عَبْدَ ٱللَّهِ بْنَ عَمْرِو بْنِ عُثْمَانَ طَلَّقَ وَهُوَ غُلاَمٌ شَابٌّ فِي إِمَارَةِ مَرْوَانَ ٱبْنَةَ سَعِيدِ بْنِ زَيْدٍ وَأُمُّهَا بِنْتُ قَيْسٍ الْبَتَّةَ فَأَرْسَلَتْ إِلَيْهَا خَالَتُهَا فَاطِمَةُ بِنْتُ قَيْسٍ تَأْمُرُهَا بِالانْتِقَالِ مِنْ بَيْتِ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو وَسَمِعَ بِذٰلِكَ مَرْوَانُ فَأَرْسَلَ إِلَى ٱبْنَةِ سَعِيدٍ فَأَمَرَهَا أَنْ تَرْجِعَ إِلَى مَسْكَنِهَا وَسَأَلَهَا مَا حَمَلَهَا عَلَى الانْتِقَالِ مِنْ قَبْلِ أَنْ تَعْتَدَّ فِي مَسْكَنِهَا حَتَّى تَنْقَضِيَ عِدَّتُهَا، فَأَرْسَلَتْ إِلَيْهِ تُخْبِرُهُ أَنَّ خَالَتَهَا أَمَرَتْهَا بِذٰلِكَ فَزَعَمَتْ فَاطِمَةُ بِنْتُ قَيْسٍ أَنَّهَا كَانَتْ تَحْتَ أَبِي عَمْرِو بْنِ حَفْصٍ فَلَمَّا أَمَّرَ رَسُولُ ٱللَّهِ ﷺ عَلِيَّ بْنَ أَبِي طَالِبٍ عَلَى الْيَمَنِ خَرَجَ مَعَهُ وَأَرْسَلَ إِلَيْهَا بِتَطْلِيقَةٍ هِيَ بَقِيَّةُ طَلاَقِهَا، وَأَمَرَ لَهَا الْحَارِثَ بْنَ هِشَامٍ وَعَيَّاشَ بْنَ أَبِي رَبِيعَةَ بِنَفَقَتِهَا فَأَرْسَلَتْ زَعَمَتْ إِلَى الْحَارِثِ وَعَيَّاشٍ تَسْأَلُهُمَا الَّذِي أَمَرَ لَهَا بِهِ زَوْجُهَا فَقَالاَ: وَٱللَّهِ مَا لَهَا عِنْدَنَا نَفَقَةٌ إِلاَّ أَنْ تَكُونَ حَامِلاً وَمَا لَهَا أَنْ تَكُونَ فِي مَسْكَنِنَا إِلاَّ بِإِذْنِنَا، فَزَعَمَتْ أَنَّهَا أَتَتْ رَسُولَ ٱللَّهِ ﷺ فَذَكَرَتْ ذٰلِكَ لَهُ فَصَدَّقَهُمَا قَالَتْ فَاطِمَةُ: فَأَيْنَ أَنْتَقِلُ يَا رَسُولَ ٱللَّهِ؟ قَالَ: «**ٱنْتَقِلِي عِنْدَ ٱبْنِ أُمِّ مَكْتُومٍ الأَعْمَى الَّذِي سَمَّاهُ ٱللَّهُ عَزَّ وَجَلَّ فِي كِتَابِهِ**». قَالَتْ فَاطِمَةُ: فَٱعْتَدَدْتُ عِنْدَهُ وَكَانَ رَجُلاً قَدْ ذَهَبَ بَصَرُهُ فَكُنْتُ أَضَعُ ثِيَابِي عِنْدَهُ حَتَّى أَنْكَحَهَا رَسُولُ ٱللَّهِ ﷺ أُسَامَةَ بْنَ زَيْدٍ فَأَنْكَرَ ذٰلِكَ عَلَيْهَا مَرْوَانُ وَقَالَ: لَمْ أَسْمَعْ هٰذَا الْحَدِيثَ مِنْ أَحَدٍ قَبْلَكَ وَسَآخُذُ بِالْقَضِيَّةِ الَّتِي وَجَدْنَا النَّاسَ عَلَيْهَا. مُخْتَصَرٌ.

3220 ـ أَخْبَرَنَا عِمْرَانُ بْنُ بَكَّارِ بْنِ رَاشِدٍ قَالَ: حَدَّثَنَا أَبُو الْيَمَانِ قَالَ: أَنْبَأَنَا شُعَيْبٌ عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي عُرْوَةُ بْنُ الزُّبَيْرِ عَنْ عَائِشَةَ: أَنَّ أَبَا حُذَيْفَةَ بْنَ عُتْبَةَ بْنِ رَبِيعَةَ بْنِ عَبْدِ شَمْسٍ وَكَانَ مِمَّنْ شَهِدَ بَدْراً مَعَ رَسُولِ ٱللَّهِ ﷺ

peace be upon him", adopted Salim, and gave him in marriage his niece Hind Bint Al-Walid Ibn Utbah Ibn Rabie'ah Ibn Abd Shams, and this (Salim) was a freed slave belonging to a woman from the Ansar. The Messenger of Allah "Allah's blessing and peace be upon him" likewise adopted Zaid Ibn Harithah. It was the habit during the pre-Islamic period of ignorance that if somebody adopted anyone, the people would call the adopted one his son. This case remained until Allah Almighty revealed: " Call them by (the names of) their fathers: that is juster in the sight of Allah. But if you know not their father's (names, call them) your Brothers in Faith, or your Mawlas." (Al-Ahzab 5) in this way, if there was one whose father was known, he would be called a Mawla or a brother in faith.

3221- It is narrated on the authority of A'ishah, the wife of The Messenger of Allah "Allah's blessing and peace be upon him", and Umm Salamah, the wife of The Messenger of Allah "Allah's blessing and peace be upon him", that Abu Hudhaifah Ibn Utbah Ibn Rabie'ah Ibn Abd Shams, and he was one of those who attended (the holy battle of) Badr with The Messenger of Allah "Allah's blessing and peace be upon him", adopted Salim, who was a freed slave belonging to a woman from the Ansar. The Messenger of Allah "Allah's blessing and peace be upon him" likewise adopted Zaid Ibn Harithah. Abu Hudhaifah Ibn Utbah gave in marriage his niece Hind Bint Al-Walid Ibn Utbah Ibn Rabie'ah Ibn Abd Shams to Salim; and this Hind Bint Al-Walid Ibn Utbah Ibn Rabie'ah was from amongst the early female-Emigrants, and at that time, she was of the best ladies of Quraish. When Allah Almighty revealed the following in His Book in connection with Zaid Ibn Harithah: " Call them by (the names of) their fathers: that is juster in the sight of Allah; but if you know not their father's (names, call them) your Brothers in Faith, or your Mawlas" every adopted one was then re-ascribed to his real father, and in case one's father was unknown, he was re-ascribed to his protectors.

[9] The Social Status

3222- It is narrated on the authority of Ibn Buraidah from his father that The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is wealth (and nothing else) that after which those of the good social status in this world seek."

[10] For Which Should A Woman Be Married?

3223- It is narrated on the authority of Jabir that he married a woman during the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", and The Messenger of Allah "Allah's blessing and peace be

تَبَنَّى سَالِماً وَأَنْكَحَهُ ٱبْنَةَ أَخِيهِ هِنْدَ بِنْتَ الْوَلِيدِ بْنِ عُتْبَةَ بْنِ رَبِيعَةَ بْنِ عَبْدِ شَمْسٍ وَهُوَ مَوْلًى لامْرَأَةٍ مِنَ الأَنْصَارِ كَمَا تَبَنَّى رَسُولُ ٱللَّهِ ﷺ زَيْداً وَكَانَ مَنْ تَبَنَّى رَجُلاً فِي الْجَاهِلِيَّةِ دَعَاهُ النَّاسُ ٱبْنَهُ فَوَرِثَ مِنْ مِيرَاثِهِ حَتَّى أَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ فِي ذٰلِكَ: ﴿ٱدْعُوهُمْ لِآبَآئِهِمْ هُوَ أَقْسَطُ عِندَ ٱللَّهِ فَإِن لَّمْ تَعْلَمُوٓا۟ ءَابَآءَهُمْ فَإِخْوَٰنُكُمْ فِى ٱلدِّينِ وَمَوَٰلِيكُمْ﴾ فَمَنْ لَمْ يُعْلَمْ لَهُ أَبٌ كَانَ مَوْلًى وَأَخاً فِي الدِّينِ. مُخْتَصَرٌ.

3221 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ نَصْرٍ قَالَ: حَدَّثَنَا أَيُّوبُ بْنُ سُلَيْمَانَ بْنِ بِلاَلٍ قَالَ: حَدَّثَنِي أَبُو بَكْرِ بْنُ أَبِي أُوَيْسٍ عَنْ سُلَيْمَانَ بْنِ بِلاَلٍ قَالَ: قَالَ يَحْيَى يَعْنِي ٱبْنَ سَعِيدٍ وَأَخْبَرَنِي ٱبْنُ شِهَابٍ قَالَ: حَدَّثَنِي عُرْوَةُ بْنُ الزُّبَيْرِ وَٱبْنُ عَبْدِ ٱللَّهِ بْنِ رَبِيعَةَ عَنْ عَائِشَةَ زَوْجِ النَّبِيِّ ﷺ وَأُمِّ سَلَمَةَ زَوْجِ النَّبِيِّ ﷺ: أَنَّ أَبَا حُذَيْفَةَ بْنَ عُتْبَةَ بْنِ رَبِيعَةَ بْنِ عَبْدِ شَمْسٍ وَكَانَ مِمَّنْ شَهِدَ بَدْراً مَعَ رَسُولِ ٱللَّهِ ﷺ تَبَنَّى سَالِماً وَهُوَ مَوْلًى لامْرَأَةٍ مِنَ الأَنْصَارِ كَمَا تَبَنَّى رَسُولُ ٱللَّهِ ﷺ زَيْدَ بْنَ حَارِثَةَ وَأَنْكَحَ أَبُو حُذَيْفَةَ بْنُ عُتْبَةَ سَالِماً ٱبْنَةَ أَخِيهِ هِنْدَ ٱبْنَةَ الْوَلِيدِ بْنِ عُتْبَةَ بْنِ رَبِيعَةَ وَكَانَتْ هِنْدُ بِنْتُ الْوَلِيدِ بْنِ عُتْبَةَ مِنَ الْمُهَاجِرَاتِ الأُوَلِ وَهِيَ يَوْمَئِذٍ مِنْ أَفْضَلِ أَيَامَى قُرَيْشٍ فَلَمَّا أَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ فِي زَيْدِ بْنِ حَارِثَةَ: ﴿ٱدْعُوهُمْ لِآبَآئِهِمْ هُوَ أَقْسَطُ عِندَ ٱللَّهِ﴾. رُدَّ كُلُّ أَحَدٍ يَنْتَمِي مِنْ أُولٰئِكَ إِلَى أَبِيهِ فَإِنْ لَمْ يَكُنْ يُعْلَمُ أَبُوهُ رُدَّ إِلَى مَوَالِيهِ.

(9) ـ الحَسَبُ

3222 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا أَبُو نُمَيْلَةَ عَنْ حُسَيْنِ بْنِ وَاقِدٍ عَنِ ٱبْنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنَّ أَحْسَابَ أَهْلِ الدُّنْيَا الَّذِي يَذْهَبُونَ إِلَيْهِ الْمَالُ»**.

(10) ـ على ما تُنْكَحُ المَرْأَةُ

3223 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ عَبْدِ الْمَلِكِ عَنْ عَطَاءٍ عَنْ جَابِرٍ: أَنَّهُ تَزَوَّجَ ٱمْرَأَةً عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ فَلَقِيَهُ النَّبِيُّ ﷺ فَقَالَ:

upon him" met him and said: "Have you got married O Jabir?" he said: I answered in the affirmative. He further asked: "A virgin or a matron (previously married woman)?" he said: I said: "A matron." He asked: "Why have you not got married to a virgin, so that she would play with you (as well as you with her)?" he said: I said: "O messenger of Allah! I have many sisters, and I was afraid she would interfere between them and me (and give rise to enmity and resentment between us)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Then this (which you've done) is right. No doubt, a woman might be married for (one of the following): her religion, property, or beauty; but I advise you to give preference to such as of religion, might you be blessed (if you do so, or might your hand be covered with dust if you do not do so)!"

[11] It Is Undesirable To Marry An Infertile

3224- It is narrated on the authority of Ma'qil Ibn Yasar that he said: A man went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've found a woman of good social status and high position among her people, even though she is infertile: should I get married to her?" he forbade him to do so. He went to him (and raised the same question) for the second time and he forbade him to do so. He went to him (and raised to him the same question) for the third time, and he forbade him and said: "Marry the fertile, full of Loving-Kindness among women, for indeed, I'm going to vie in glory over your great number (with the other nations)."

[12] What About Marrying Adulteress?

3225- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that Marthad Ibn Abu Marthad Al-Ghanawi, and he was a strong hardy man, who used to carry the captives from Mecca to Medina, said: I invited a man to carry, and in Mecca, there was a prostitute called Anaq, -and she was his friend-woman (with whom he had sexual relations before Islam)-. She came out and saw me in the shade of the wall, and asked: "Who is this? Is it Marthad? O Marthad! Welcome! Come and spend the night with us in our dwelling place." I said: "O Anaq! The Messenger of Allah "Allah's blessing and peace be upon him" forbade adultery." On that she cried: "O inhabitants of tents! This is the hedgehog! This is the man who carries your war prisoners from Mecca to Medina!" I followed the way of Khandamah, and eight persons went in pursuit of me. They came until when they stood over my head, they urinated, and their urine fell over me, and in this way, Allah Almighty took away their sights from me, and I went to my companion and carried him. When I reached Arak with him, I loosened the fetter from him. Then, I went to The Messenger of Allah "Allah's blessing

«أَتَزَوَّجْتَ يَا جَابِرُ؟» قَالَ: قلت: نَعَمْ قَالَ: «بِكْراً أَمْ ثَيِّباً؟» قَالَ: قُلْتُ: بَلْ ثَيِّباً قَالَ: «فَهَلاَّ بِكْراً تُلاَعِبُكَ» قَالَ: قُلْتُ: يَا رَسُولَ ٱللَّهِ كُنَّ لِي أَخَوَاتٌ فَخَشِيتُ أَنْ تَدْخُلَ بَيْنِي وَبَيْنَهُنَّ قَالَ: «فَذَاكَ إِذاً إِنَّ الْمَرْأَةُ تُنْكَحُ عَلَى دِينِهَا وَمَالِهَا وَجَمَالِهَا فَعَلَيْكَ بِذَاتِ الدِّينِ تَرِبَتْ يَدَاكَ».

(11) ـ كَرَاهِيَةُ تَزْوِيجِ العَقِيمِ

3224 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ قَالَ: أَنْبَأَنَا الْمُسْتَلِمُ بْنُ سَعِيدٍ عَنْ مَنْصُورِ بْنِ زَاذَانَ عَنْ مُعَاوِيَةَ بْنِ قُرَّةَ عَنْ مَعْقِلِ بْنِ يَسَارٍ قَالَ: جَاءَ رَجُلٌ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: إِنِّي أَصَبْتُ ٱمْرَأَةً ذَاتَ حَسَبٍ وَمَنْصِبٍ إِلاَّ أَنَّهَا لاَ تَلِدُ أَفَأَتَزَوَّجُهَا؟ فَنَهَاهُ ثُمَّ أَتَاهُ الثَّانِيَةَ فَنَهَاهُ ثُمَّ أَتَاهُ الثَّالِثَةَ فَنَهَاهُ فَقَالَ: «تَزَوَّجُوا الْوَلُودَ الوَدُودَ فَإِنِّي مُكَاثِرٌ بِكُمْ».

(12) ـ تَزْوِيجُ الزَّانِيَةِ

3225 ـ أَخْبَرَنَا إِبْرَاهِيمُ بْنُ مُحَمَّدٍ التَّيْمِيُّ قَالَ: حَدَّثَنَا يَحْيَى هُوَ ٱبْنُ سَعِيدٍ عَنْ عُبَيْدِ ٱللَّهِ بْنِ الأَخْنَسِ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ، أَنَّ مَرْثَدَ بْنَ أَبِي مَرْثَدٍ الْغَنَوِيَّ وَكَانَ رَجُلاً شَدِيداً وَكَانَ يَحْمِلُ الأُسَارَى مِنْ مَكَّةَ إِلَى الْمَدِينَةِ قَالَ: فَدَعَوْتُ رَجُلاً لأَحْمِلَهُ وَكَانَ بِمَكَّةَ بَغِيٌّ يُقَالُ لَهَا عَنَاقُ وَكَانَتْ صَدِيقَتَهُ خَرَجَتْ فَرَأَتْ سَوَادِي فِي ظِلِّ الحَائِطِ فَقَالَتْ: مَنْ هٰذَا مَرْثَدٌ مَرْحَباً وَأَهْلاً يَا مَرْثَدُ ٱنْطَلِقِ ٱللَّيْلَةَ فَبِتْ عِنْدَنَا فِي الرَّحْلِ قُلْتُ: يَا عَنَاقُ إِنَّ رَسُولَ ٱللَّهِ ﷺ حَرَّمَ الزِّنَى قَالَتْ: يَا أَهْلَ الْخِيَامِ هٰذَا الدُّلْدُلُ هٰذَا الَّذِي يَحْمِلُ أُسَرَاءَكُمْ مِنْ مَكَّةَ إِلَى الْمَدِينَةِ فَسَلَكَتْ الْخَنْدَمَةَ فَطَلَبَنِي ثَمَانِيَةٌ فَجَاؤوا حَتَّى قَامُوا عَلَى رَأْسِي فَبَالُوا فَطَارَ بَوْلُهُمْ عَلَيَّ وَأَعْمَاهُمُ ٱللَّهُ عَنِّي فَجِئْتُ إِلَى صَاحِبِي فَحَمَلْتُهُ فَلَمَّا ٱنْتَهَيْتُ بِهِ إِلَى الأَرَاكِ فَكَكْتُ عَنْهُ كَبْلَهُ فَجِئْتُ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقُلْتُ يَا

and peace be upon him" and said: "O Messenger of Allah! Should I marry Anaq?" he kept silent from me, thereupon the following was revealed: " Let no man guilty of adultery or fornication marry any but a woman similarly guilty, or an Unbeliever: nor let any but such a man or an Unbeliever marry such a woman: to the Believers such a thing is forbidden." (An-Nur 3) he invited me, and recited it to me, and then said: "Do not marry her."

3226- It is narrated on the authority of Ibn Abbas that he said: A man went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've got a woman (my wife) who is the dearest of people to me, even though she never prevents the hand of such as likes to touch her (from touching her)." He said to him: "Divorce her." He said: "I could not keep patient on leaving her." On that he said to him: "Then (keep her with the intention to) take your pleasure from her."

[13] It Is Undesirable To Marry Adulterers

3227- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "A woman might be married for four things: her property, her high social status, her beauty, and her religion: but, seek to get such of women as of religion, might you be blessed (if you do so, or might your hand be covered with dust if you do not do so)."

[14] Which Of Women Is The Best?

3228- It is narrated on the authority of Abu Hurairah that he said: It was said to The Messenger of Allah "Allah's blessing and peace be upon him": "Which of women is the best?" he said: "It is such as pleases him (her husband) once he looks at her, obeys him once he gives her a command, and does not oppose him in herself and her property with what he dislikes."

[15] The Good Righteous Woman

3229- It is narrated on the authority of Abdullah Ibn Amr Ibn Al-As that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The whole world is but a place of enjoyment; and the best of the world's enjoyment is the good righteous woman."

[16] The Jealous Woman

3230- It is narrated on the authority of Anas that they said to The Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! Would you not marry from the women of the Ansar?" he said: "Indeed, they have a strong jealousy."

رَسُولَ ٱللَّهِ أَنْكِحْ عَنَاقَ فَسَكَتَ عَنِّي فَنَزَلَتِ ﴿وَٱلزَّانِيَةُ لَا يَنكِحُهَآ إِلَّا زَانٍ أَوْ مُشْرِكٌ﴾ [النور: 3] فَدَعَانِي فَقَرَأَهَا عَلَيَّ وَقَالَ: «لاَ تَنْكِحْهَا».

3226 أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَزِيدُ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ وَغَيْرُهُ عَنْ هَارُونَ بْنِ رِئَابٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عُبَيْدِ بْنِ عُمَيْرٍ وَعَبْدِ الْكَرِيمِ عَنْ عَبْدِ ٱللَّهِ بْنِ عُبَيْدِ بْنِ عُمَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ عَبْدُ الْكَرِيمِ يَرْفَعُهُ إِلَى ابْنِ عَبَّاسٍ وَهَارُونُ لَمْ يَرْفَعْهُ قَالاَ: جَاءَ رَجُلٌ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: إِنَّ عِنْدِي ٱمْرَأَةً هِيَ مِنْ أَحَبِّ النَّاسِ إِلَيَّ وَهِيَ لاَ تَمْنَعُ يَدَ لاَمِسٍ قَالَ: «طَلِّقْهَا» قَالَ: لاَ أَصْبِرُ عَنْهَا قَالَ: «ٱسْتَمْتِعْ بِهَا».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا الْحَدِيثُ لَيْسَ بِثَابِتٍ وَعَبْدُ الْكَرِيمِ لَيْسَ بِالْقَوِيِّ وَهَارُونُ بْنُ رِئَابٍ أَثْبَتُ مِنْهُ وَقَدْ أَرْسَلَ الْحَدِيثَ. وَهَارُونُ ثِقَةٌ وَحَدِيثُهُ أَوْلَى بِالصَّوَابِ مِنْ حَدِيثِ عَبْدِ الْكَرِيمِ.

(13) ـ بَابُ كَرَاهِيَةِ تَزْوِيجِ الزُّنَاةِ

3227 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ ٱللَّهِ عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «تُنْكَحُ النِّسَاءُ لأَرْبَعَةٍ لِمَالِهَا وَلِحَسَبِهَا وَلِجَمَالِهَا وَلِدِينِهَا فَٱظْفَرْ بِذَاتِ الدِّينِ تَرِبَتْ يَدَاكَ».

(14) ـ أَيُّ النِّسَاءِ خَيْرٌ

3228 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنِ ٱبْنِ عَجْلاَنَ عَنْ سَعِيدٍ الْمَقْبُرِيِّ عَنْ أَبِي هُرَيْرَةَ قَالَ: قِيلَ لِرَسُولِ ٱللَّهِ ﷺ: أَيُّ النِّسَاءِ خَيْرٌ؟ قَالَ: «الَّتِي تَسُرُّهُ إِذَا نَظَرَ وَتُطِيعُهُ إِذَا أَمَرَ وَلاَ تُخَالِفُهُ فِي نَفْسِهَا وَمَالِهَا بِمَا يَكْرَهُ».

(15) ـ الْمَرْأَةِ الصَّالِحَةُ

3229 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا حَيْوَةُ وَذَكَرَ آخَرَ أَنْبَأَنَا شُرَحْبِيلُ بْنُ شَرِيكٍ أَنَّهُ سَمِعَ أَبَا عَبْدِ الرَّحْمٰنِ الْحُبُلِيَّ يُحَدِّثُ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «إِنَّ الدُّنْيَا كُلَّهَا مَتَاعٌ وَخَيْرُ مَتَاعِ الدُّنْيَا الْمَرْأَةُ الصَّالِحَةُ».

(16) ـ الْمَرْأَةُ الْغَيْرَاءُ

3230 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ أَنْبَأَنَا النَّضْرُ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ إِسْحَاقَ بْنِ عَبْدِ ٱللَّهِ عَنْ أَنَسٍ قَالُوا: يَا رَسُولَ ٱللَّهِ أَلاَ تَتَزَوَّجُ مِنْ نِسَاءِ الأَنْصَارِ؟ قَالَ: «إِنَّ فِيهِمْ لَغَيْرَةً شَدِيدَةً».

[17] It Is Permissible To catch A Glimpse Before Marrying

3231- It is narrated on the authority of Abu Hurairah that he said: A man proposed to marry a woman from the Ansar, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Have you caught a glimpse of her?" he answered in the negative, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" ordered him to catch a glimpse of her (before marriage).

3232- It is narrated on the authority of Al-Mughirah Ibn Shu'bah that he said: I engaged a girl during the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him". On that The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Have you caught a glimpse of her?" he answered in the negative, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Catch a glimpse of her (before marriage) since this is more fitting to make the hearts of you both adhere to each other."

[18] Marrying In (The Month Of) Shawwal

3233- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" married me in the month of Shawwal, and I was made to enter his house (to consummate marriage with me) in the month of Shawwal. A'ishah liked to have her women get married (and consummate marriage) in the month of Shawwal. (She added:) which of his (the Prophet's) wives was dearer to him than I?

[19] The Betrothal In Marriage

3234- It is narrated on the authority of Fatimah Bint Qais that she said: Abd Ar-Rahman Ibn Awf came in some of the companions of Muhammad, The Messenger of Allah "Allah's blessing and peace be upon him" and proposed to marry me. At the same time, The Messenger of Allah "Allah's blessing and peace be upon him" demanded my hand to his freed slave Usamah Ibn Zaid. I was informed that The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who loves me should love Usamah." When The Messenger of Allah "Allah's blessing and peace be upon him" talked to me (about the matter of marriage), I said to him: "My affair is in your hand: it is up to you to give me in marriage to such as you will." He said: "Then, go to Umm Sharik (to spend the period of your Iddat)." Umm Sharik was a rich wealthy woman from amongst the Ansar, and she used to spend so much in Allah's Cause, and his house received a lot of guests. I said to him: "I'm going to do." Then he said: "No, do not do so, for Umm Sharik receives a lot of guests (to entertain them), and I dislike that

(17) ـ إِبَاحَةُ النَّظَرِ قَبْلَ التَّزْوِيجِ

3231 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا مَرْوَانُ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ كَيْسَانَ عَنْ أَبِي حَازِمٍ عَنْ أَبِي هُرَيْرَةَ قَالَ: خَطَبَ رَجُلٌ ٱمْرَأَةً مِنَ الأَنْصَارِ فَقَالَ لَهُ رَسُولُ ٱللَّهِ ﷺ: «**هَلْ نَظَرْتَ إِلَيْهَا؟**» قَالَ: لاَ. فَأَمَرَهُ أَنْ يَنْظُرَ إِلَيْهَا.

3232 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الْعَزِيزِ بْنِ أَبِي رِزْمَةَ قَالَ: حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ قَالَ: حَدَّثَنَا عَاصِمٌ عَنْ بَكْرِ بْنِ عَبْدِ ٱللَّهِ الْمُزَنِيِّ عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ قَالَ: خَطَبْتُ ٱمْرَأَةً عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ فَقَالَ النَّبِيُّ ﷺ: «**أَنَظَرْتَ إِلَيْهَا؟**» قُلْتُ: لاَ قَالَ: «**فَٱنْظُرْ إِلَيْهَا فَإِنَّهُ أَجْدَرُ أَنْ يُؤْدَمَ بَيْنَكُمَا**».

(18) ـ التَّزْوِيجُ فِي شَوَّالٍ

3233 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ سُفْيَانَ قَالَ: حَدَّثَنِي إِسْمَاعِيلُ بْنُ أُمَيَّةَ عَنْ عَبْدِ ٱللَّهِ بْنِ عُرْوَةَ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: تَزَوَّجَنِي رَسُولُ ٱللَّهِ ﷺ فِي شَوَّالٍ وَأُدْخِلْتُ عَلَيْهِ فِي شَوَّالٍ وَكَانَتْ عَائِشَةُ تُحِبُّ أَنْ تُدْخِلَ نِسَاءَهَا فِي شَوَّالٍ فَأَيُّ نِسَائِهِ كَانَتْ أَحْظَى عِنْدَهُ مِنِّي.

(19) ـ الْخُطْبَةُ فِي النِّكَاحِ

3234 ـ أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ مُحَمَّدِ بْنِ سَلاَّمٍ قَالَ: حَدَّثَنِي عَبْدُ الصَّمَدِ ابْنُ عَبْدِ الْوَارِثِ قَالَ: سَمِعْتُ أَبِي قَالَ: حَدَّثَنَا حُسَيْنٌ الْمُعَلِّمُ قَالَ: حَدَّثَنِي عَبْدُ ٱللَّهِ بْنُ بُرَيْدَةَ قَالَ: حَدَّثَنِي عَامِرُ بْنُ شَرَاحِيلَ الشَّعْبِيُّ أَنَّهُ سَمِعَ فَاطِمَةَ بِنْتَ قَيْسٍ وَكَانَتْ مِنَ الْمُهَاجِرَاتِ الأُوَلِ قَالَتْ: خَطَبَنِي عَبْدُ الرَّحْمٰنِ بْنُ عَوْفٍ فِي نَفَرٍ مِنْ أَصْحَابِ مُحَمَّدٍ ﷺ وَخَطَبَنِي رَسُولُ ٱللَّهِ ﷺ عَلَى مَوْلاَهُ أُسَامَةَ بْنِ زَيْدٍ وَقَدْ كُنْتُ حُدِّثْتُ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**مَنْ أَحَبَّنِي فَلْيُحِبَّ أُسَامَةَ**» فَلَمَّا كَلَّمَنِي رَسُولُ ٱللَّهِ ﷺ قُلْتُ: أَمْرِي بِيَدِكَ فَانْكِحْنِي مَنْ شِئْتَ فَقَالَ: «**أَنْطَلِقِي إِلَى أُمِّ شَرِيكٍ وَأُمُّ شَرِيكٍ ٱمْرَأَةٌ غَنِيَّةٌ مِنَ الأَنْصَارِ عَظِيمَةُ النَّفَقَةِ فِي سَبِيلِ ٱللَّهِ عَزَّ وَجَلَّ يَنْزِلُ عَلَيْهَا الضِّيفَانُ**». فَقُلْتُ: سَأَفْعَلُ قَالَ: «**لاَ تَفْعَلِي فَإِنَّ أُمَّ شَرِيكٍ كَثِيرَةُ الضِّيفَانِ فَإِنِّي أَكْرَهُ**

your veil might fall down from you, or that your dress might (be lifted unintentionally and) uncover your legs, with the result that the people might see from you what you dislike. But you'd rather go to the house of your paternal cousin, Abdullah Ibn Amr Ibn Umm Maktum." He was a (blind) man from Banu Fihr.

[20] It Is Forbidden To Betroth In Opposition To Each Other

3235- It is narrated on the authority of Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let none of you betroth (any woman) in opposition to each other."

3236- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None of you should outbid in a sale (with the intention to ensnare others), nor should anyone sell (anything to anyone) when his brother has already sold (the same thing to the same person), and let no dweller of the town sell the merchandise (on behalf) of a villager, nor should one demand the hand of a woman in opposition to his brother who has already engaged her, and let no woman ask for the divorce of her sister in order to deprive her of what belongs to her."

3237- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None of you should demand the hand of a girl in opposition to his brother who has already engaged her."

3238- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None of you should demand the hand of a girl in opposition to his brother who has already engaged her (and let him wait) until he marries her or leaves her."

3239- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None of you should demand the hand of a girl in opposition to his brother who has already engaged her."

[21] One Might Engage Such As Whose Betrother Leaves Or Gives Him Permission

3240- It is narrated on the authority of Abdullah Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade that anyone should enter into transaction in opposition to his brother, and that anyone should demand the hand of a girl in opposition to another man

أَنْ يَسْقُطَ عَنْكِ خِمَارُكِ أَوْ يَنْكَشِفَ الثَّوْبُ عَنْ سَاقَيْكِ فَيَرَى الْقَوْمُ مِنْكِ بَعْضَ مَا تَكْرَهِينَ وَلٰكِنِ انْتَقِلِي إِلَى ابْنِ عَمِّكِ عَبْدِ اللَّهِ بْنِ عَمْرِو بْنِ أُمِّ مَكْتُومٍ» وَهُوَ رَجُلٌ مِنْ بَنِي فِهْرٍ. فَانْتَقَلْتُ إِلَيْهِ. مُخْتَصَرٌ.

(20) ـ النَّهْيُ أَنْ يَخْطُبَ الرَّجُلُ على خِطْبَةِ أَخِيهِ

3235 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ نَافِعٍ عَنِ ابْنِ عُمَرَ عَنِ النَّبِيِّ ﷺ قَالَ: «لاَ يَخْطُبْ أَحَدُكُمْ عَلَى خِطْبَةِ بَعْضٍ».

3236 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ وَسَعِيدُ بْنُ عَبْدِ الرَّحْمٰنِ قَالاَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ سَعِيدٍ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: وَقَالَ مُحَمَّدٌ عَنِ النَّبِيِّ ﷺ: «لاَ تَنَاجَشُوا وَلاَ يَبِعْ حَاضِرٌ لِبَادٍ وَلاَ يَبِعِ الرَّجُلُ عَلَى بَيْعِ أَخِيهِ وَلاَ يَخْطُبْ عَلَى خِطْبَةِ أَخِيهِ وَلاَ تَسْأَلِ الْمَرْأَةُ طَلاَقَ أُخْتِهَا لِتَكْتَفِيءَ مَا فِي إِنَائِهَا».

3237 ـ أَخْبَرَنِي هَارُونُ بْنُ عَبْدِ اللَّهِ قَالَ: حَدَّثَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ ح. وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ابْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ مُحَمَّدِ بْنِ يَحْيَى بْنِ حَبَّانَ عَنِ الأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ أَنَّ النَّبِيَّ ﷺ قَالَ: «لاَ يَخْطُبْ أَحَدُكُمْ عَلَى خِطْبَةِ أَخِيهِ».

3238 ـ أَخْبَرَنِي يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا ابْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ابْنِ شِهَابٍ قَالَ: أَخْبَرَنِي سَعِيدُ بْنُ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لاَ يَخْطُبْ أَحَدُكُمْ عَلَى خِطْبَةِ أَخِيهِ حَتَّى يَنْكِحَ أَوْ يَتْرُكَ».

3239 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا غُنْدَرٌ عَنْ هِشَامٍ عَنْ مُحَمَّدٍ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «لاَ يَخْطُبْ أَحَدُكُمْ عَلَى خِطْبَةِ أَخِيهِ».

(21) ـ خُطْبَةُ الرَّجُلِ إذا تَرَكَ الخَاطِبُ أو أَذِنَ له

3240 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ الْحَسَنِ قَالَ: حَدَّثَنَا الْحَجَّاجُ بْنُ مُحَمَّدٍ قَالَ: قَالَ ابْنُ جُرَيْجٍ: سَمِعْتُ نَافِعاً يُحَدِّثُ أَنَّ عَبْدَ اللَّهِ بْنَ عُمَرَ كَانَ يَقُولُ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يَبِيعَ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ وَلاَ يَخْطُبُ الرَّجُلُ عَلَى خِطْبَةِ الرَّجُلِ حَتَّى يَتْرُكَ الْخَاطِبُ

(who has already engaged her, and let him wait) until the betrother leaves her before marriage, or until the betrother gives him permission."

3241- It is narrated on the authority of both Abu Salamah Ibn Abd Ar-Rahman and Muhammad Ibn Abd Ar-Rahman Ibn Thawban that they asked Fatimah Bint Qais about her case. She said: My husband divorced me thrice (and thus his divorce became irrevocable). He gave me sustenance having something bad. I said (to myself): "By Allah, if both maintenance and residence are due to me, I should demand that in full and I'd rather not accept that (bad sustenance)." His (my husband's) deputy said: "No residence nor maintenance is due to you." She added: I went to The Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him. He said: "No maintenance nor residence is due to you. But rather spend the period of your Iddat in the house of such and such a woman." She was a woman, whose house a lot of his companions came (as guests on account of her good hospitality and generosity). So he said: "Spend the period of your Iddat in the house of Ibn Umm Maktum, and when you finish from your Iddat and become lawful for marriage, inform me." She added: When I finished my Iddat and became lawful for marriage, I informed him, thereupon The Prophet "Allah's blessing and peace be upon him" asked me: "Who has engaged you?" I said: "Mu'awiyah and another man from Quraish." The Prophet "Allah's blessing and peace be upon him" said: "As for Mu'awiyah, he is still one from the young men of Quraish, who is poor, and has nothing (to maintain you well). As for the other, he is a man of evil (since he is accustomed to strike women so much) in whom no good is expected. But, you'd rather marry Usamah Ibn Zaid." She added: I disliked him, but he (the Prophet) said that to her thrice, and she married him.

[22] When A Woman Consults A Man About Such As Betroths Her: Should He Tell Her Of What He Knows About Him?

3242- It is narrated on the authority of Abu Salamah Ibn Abd Ar-Rahman from Fatimah Bint Qais that (her husband) Abu Amr Ibn Hafs divorced her irrevocably, while he was absent from her. He sent to her his deputy, carrying (a quantity of) parley, which she refused. Upon this he said: "By Allah! You have no (right of maintenance) on us (so that we would give it to you after your irrevocable divorce)." Then, she went to The Messenger of Allah "Allah's blessing and peace be upon him", and told him of that. He said to her: "Verily, you have no (right of) maintenance due upon him (which he should give you)." Then, he ordered her to spend the prescribed period of her Iddat in the house of Umm Sharik. But he said: "This (Umm Sharik) is a woman, whose house my companions might come. So, you should spend the prescribed period of your Iddat in the house of Ibn Umm Maktum. Indeed, he is a blind man, and (in his house) you could put off your

قَبْلَهُ أَوْ يَأْذَنَ لَهُ الْخَاطِبُ.

3241 ـ أَخْبَرَنَا حَاجِبُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا حَجَّاجٌ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي ذِئْبٍ عَنِ الزُّهْرِيِّ وَيَزِيدُ بْنُ عَبْدِ ٱللَّهِ بْنِ قُسَيْطٍ عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ وَعَنِ الْحَارِثِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ ثَوْبَانَ: أَنَّهُمَا سَأَلاَ فَاطِمَةَ بِنْتَ قَيْسٍ عَنْ أَمْرِهَا فَقَالَتْ: طَلَّقَنِي زَوْجِي ثَلاَثاً فَكَانَ يَرْزُقُنِي طَعَاماً فِيهِ شَيْءٌ فَقُلْتُ: وَٱللَّهِ لَئِنْ كَانَتْ لِي النَّفَقَةُ وَالسُّكْنَى لأَطْلُبَنَّهَا وَلاَ أَقْبَلُ هٰذَا فَقَالَ الْوَكِيلُ: لَيْسَ لَكِ سُكْنَى وَلاَ نَفَقَةٌ قَالَتْ: فَأَتَيْتُ النَّبِيَّ ﷺ فَذَكَرْتُ ذٰلِكَ لَهُ فَقَالَ: «**لَيْسَ لَكِ سُكْنَى وَلاَ نَفَقَةٌ فَٱعْتَدِّي عِنْدَ فُلاَنَةَ**» قَالَتْ: وَكَانَ يَأْتِيهَا أَصْحَابُهُ ثُمَّ قَالَ: «**ٱعْتَدِّي عِنْدَ ٱبْنِ أُمِّ مَكْتُومٍ فَإِنَّهُ أَعْمَى فَإِذَا حَلَلْتِ فَآذِنِينِي**» قَالَتْ: فَلَمَّا حَلَلْتُ آذَنْتُهُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**وَمَنْ خَطَبَكِ؟**» فَقُلْتُ: مُعَاوِيَةُ وَرَجُلٌ آخَرُ مِنْ قُرَيْشٍ فَقَالَ النَّبِيُّ ﷺ: «**أَمَّا مُعَاوِيَةُ فَإِنَّهُ غُلاَمٌ مِنْ غِلْمَانِ قُرَيْشٍ لاَ شَيْءَ لَهُ وَأَمَّا الآخَرُ فَإِنَّهُ صَاحِبُ شَرٍّ لاَ خَيْرَ فِيهِ وَلٰكِنِ ٱنْكِحِي أُسَامَةَ بْنَ زَيْدٍ**» قَالَتْ: فَكَرِهْتُهُ فَقَالَ لَهَا ذٰلِكَ ثَلاَثَ مَرَّاتٍ فَنَكَحْتُهُ.

(22) ـ إذا اسْتَشَارَتِ المَرْأَةِ رَجُلاً فيمنْ يَخْطُبُها هل يُخْبِرُها بما يَعْلَمُ؟

3242 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لِمُحَمَّدٍ عَنِ ابْنِ الْقَاسِمِ عَنْ مَالِكٍ عَنْ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ: أَنَّ أَبَا عَمْرِو بْنِ حَفْصٍ طَلَّقَهَا الْبَتَّةَ وَهُوَ غَائِبٌ فَأَرْسَلَ إِلَيْهَا وَكِيلُهُ بِشَعِيرٍ فَسَخِطَتْهُ فَقَالَ: وَٱللَّهِ مَا لَكِ عَلَيْنَا مِنْ شَيْءٍ فَجَاءَتْ رَسُولَ ٱللَّهِ ﷺ فَذَكَرَتْ ذٰلِكَ لَهُ فَقَالَ: «**لَيْسَ لَكِ نَفَقَةٌ**» فَأَمَرَهَا أَنْ تَعْتَدَّ فِي بَيْتِ أُمِّ شَرِيكٍ ثُمَّ قَالَ: «**تِلْكَ ٱمْرَأَةٌ يَغْشَاهَا أَصْحَابِي فَٱعْتَدِّي عِنْدَ ٱبْنِ أُمِّ مَكْتُومٍ فَإِنَّهُ رَجُلٌ أَعْمَى تَضَعِينَ ثِيَابَكِ**

garment (if you so liked to sit at ease, and he would not be able to see you). Then, if you finished (your Iddat) and become lawful (for marriage), you should inform me." She said: When I finished (my Iddat) and became lawful (for marriage), I told him that both of Mu'awiyah Ibn Abu Sufyan and Abu Jahm demanded my hand. Upon this The Messenger of Allah "Allah's blessing and peace be upon him" said: "As for Abu Jahm, he does not put down his stick from his shoulder (i.e. either he nearly spends his life on journeys, or he always beats his women). As for Mu'awiyah, he is very poor, and he has no property (to spend on you fairly). But, you'd better marry Usamah Ibn Zaid." But, I objected to him (at first). He (The Prophet) said to me once again: "Marry Usamah Ibn Zaid." I got married to him, and Allah made in him a (source of) good for me, and I was envied because of him.

[23] When A Man Consults Another About A Woman (Whom He Likes To Marry)

3243- It is narrated on the authority of Abu Hurairah that he said: A man came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I've got married to a woman from amongst the Ansar." The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Why have you not caught a glimpse of her? Indeed, the eyes of the (women of the) Ansar have something (of blameworthy smallness or blueness)."

3244- It is narrated on the authority of Abu Hurairah that a man liked to marry a woman (from amongst the Ansar). The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "catch a glimpse of her, for indeed, the eyes of the (women of the) Ansar have something (of blameworthy smallness or blueness)."

[24] When A Man Offers His Daughter To Whomever He Accepts (For Marriage)

3245- It is narrated on the authority of Umar that he said: Hafsah Bint Umar lost her husband Khunais Ibn Hudhaifah As-Sahmi who was one of the companions of Allah's Apostle "Allah's blessing and peace be upon him" and had taken part in the holy battle of Badr and had died in Medina. I met Uthman Ibn Affan and suggested that he might marry Hafsah saying: "If you wish, I will marry Hafsah Bint Umar to you." He said: "I will think it over." I waited for a few days and then he met me and said: "It seems to me that I shall not marry at present." Then I met Abu Bakr and said: "If you wish, I will marry Hafsah Bint Umar to you." He kept quiet and did give me no reply. I became angrier with him than I was with Uthman. Some days later,

فَإِذَا حَلَلْتِ فَآذِنِينِي» قَالَتْ: فَلَمَّا حَلَلْتُ ذَكَرْتُ لَهُ أَنَّ مُعَاوِيَةَ بْنَ أَبِي سُفْيَانَ وَأَبَا جَهْمٍ خَطَبَانِي فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«أَمَّا أَبُو جَهْمٍ فَلاَ يَضَعُ عَصَاهُ عَنْ عَاتِقِهِ وَأَمَّا مُعَاوِيَةُ فَصُعْلُوكٌ لاَ مَالَ لَهُ وَلٰكِنِ ٱنْكِحِي أُسَامَةَ بْنَ زَيْدٍ»** فَكَرِهْتُهُ ثُمَّ قَالَ: **«ٱنْكِحِي أُسَامَةَ بْنَ زَيْدٍ»** فَنَكَحْتُهُ فَجَعَلَ ٱللَّهُ عَزَّ وَجَلَّ فِيهِ خَيْراً وَٱغْتَبَطْتُ بِهِ.

(23) ـ باب إذا اسْتَشَارَ رَجُلٌ رَجُلاً في المَرْأَةِ هَلْ يُخْبِرُهُ بما يَعْلَمُ؟

3243 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ آدَمَ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ هَاشِمِ بْنِ الْبَرِيدِ عَنْ يَزِيدَ بْنِ كَيْسَانَ عَنْ أَبِي حَازِمٍ عَنْ أَبِي هُرَيْرَةَ قَالَ: جَاءَ رَجُلٌ مِنَ الأَنْصَارِ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: إِنِّي تَزَوَّجْتُ ٱمْرَأَةً فَقَالَ النَّبِيُّ ﷺ: **«أَلاَ نَظَرْتَ إِلَيْهَا فَإِنَّ فِي أَعْيُنِ الأَنْصَارِ شَيْئاً»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: وَجَدْتُ هٰذَا الحَدِيثَ فِي مَوْضِعٍ آخَرَ عَنْ يَزِيدَ بْنِ كَيْسَانَ أَنَّ جَابِرَ بْنَ عَبْدِ ٱللَّهِ حَدَّثَ وَالصَّوَابُ أَبُو هُرَيْرَةَ.

3244 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ يَزِيدَ بْنِ كَيْسَانَ عَنْ أَبِي حَازِمٍ عَنْ أَبِي هُرَيْرَةَ: أَنَّ رَجُلاً أَرَادَ أَنْ يَتَزَوَّجَ ٱمْرَأَةً فَقَالَ النَّبِيُّ ﷺ: **«ٱنْظُرْ إِلَيْهَا. فَإِنَّ فِي أَعْيُنِ الأَنْصَارِ شَيْئاً»**.

(24) ـ بابُ عَرْضِ الرَّجُلِ ابْنَتَهُ على مَنْ يَرْضَى

3245 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ عَنْ سَالِمٍ عَنِ ٱبْنِ عُمَرَ عَنْ عُمَرَ قَالَ: تَأَيَّمَتْ حَفْصَةُ بِنْتُ عُمَرَ مِنْ خُنَيْسٍ يَعْنِي ٱبْنَ حُذَافَةَ وَكَانَ مِنْ أَصْحَابِ النَّبِيِّ ﷺ مِمَّنْ شَهِدَ بَدْراً فَتُوُفِّيَ بِالْمَدِينَةِ فَلَقِيتُ عُثْمَانَ بْنَ عَفَّانَ فَعَرَضْتُ عَلَيْهِ حَفْصَةَ فَقُلْتُ: إِنْ شِئْتَ أَنْكَحْتُكَ حَفْصَةَ فَقَالَ: سَأَنْظُرُ فِي ذٰلِكَ فَلَبِثْتُ لَيَالِيَ فَلَقِيتُهُ فَقَالَ: مَا أُرِيدُ أَنْ أَتَزَوَّجَ يَوْمِي هٰذَا قَالَ عُمَرُ: فَلَقِيتُ أَبَا بَكْرٍ الصِّدِّيقَ رَضِيَ ٱللَّهُ عَنْهُ فَقُلْتُ: إِنْ شِئْتَ أَنْكَحْتُكَ حَفْصَةَ فَلَمْ يَرْجِعْ إِلَيَّ شَيْئاً فَكُنْتُ عَلَيْهِ أَوْجَدَ مِنِّي عَلَى عُثْمَانَ رَضِيَ ٱللَّهُ عَنْهُ فَلَبِثْتُ لَيَالِيَ

Allah's Apostle "Allah's blessing and peace be upon him" demanded her hand in marriage to whom I married her. Later on Abu Bakr met me and said: "Perhaps you were angry with me when you offered Hafsah to me for marriage and I gave no reply to you!" I said: "Yes." Abu Bakr said: "Nothing prevented me from accepting your offer except that I learnt that Allah's Apostle "Allah's blessing and peace be upon him" had referred to the issue of Hafsah and I did not want to disclose the secret of Allah's Apostle "Allah's blessing and peace be upon him". But had he given her up I would surely have married her."

[25] When A Woman Offers Herself To Whomever She Accepts (For Marriage)

3246- It is narrated on the authority of Thabit Al-Bunani that he said: I was sitting in the house of Anas Ibn Malik, and one of his daughters was there, when he said: A woman came to Allah's Apostle "Allah's blessing and peace be upon him" and offered herself to him (for marriage) saying: "O Messenger of Allah! Do you have a desire for taking me (in marriage)?"

3247- It is narrated on the authority of Anas that he said: A woman offered herself (for marriage)to Allah's Apostle "Allah's blessing and peace be upon him". A daughter belonging to Anas (who was sitting there) smiled and said: "How daring she was!" on that Anas said: "No doubt, she is better than you. She offered herself (for marriage)to Allah's Apostle "Allah's blessing and peace be upon him"."

[26] A Woman Offers Prayer In Which She Asks Her Lord To Guide Her To What Is Better When She Is Engaged

3248- It is narrated on the authority of Anas that he said: When the period of Iddat of Zainab (Bint Jahsh) had finished, The Messenger of Allah "Allah's blessing and peace be upon him" said to Zaid (Ibn Harithah): "Demand her hand for me." Zaid went to her and said: "O Zainab! Rejoice and Receive the glad tidings! The Messenger of Allah "Allah's blessing and peace be upon him" sent (me) to demand your hand for him." she said: "I'm not to do anything until I ask my Lord to guide me to what is better." Then, she got up and went to her praying place. But, The Qur'an was revealed (in connection with this matter). The Messenger of Allah "Allah's blessing and peace be upon him" came and entered upon her without seeking her permission.

3249- It is narrated on the authority of Anas that he said: Zainab Bint Jahsh used to show pride over the wives of The Messenger of Allah "Allah's blessing and peace be upon him" saying: "It is Allah Almighty Who has given me in marriage (to the Messenger of Allah, since He revealed Qur'an

فَخَطَبَهَا إِلَيَّ رَسُولُ ٱللَّهِ ﷺ فَأَنْكَحْتُهَا إِيَّاهُ فَلَقِيَنِي أَبُو بَكْرٍ فَقَالَ: لَعَلَّكَ وَجَدْتَ عَلَيَّ حِينَ عَرَضْتَ عَلَيَّ حَفْصَةَ فَلَمْ أَرْجِعْ إِلَيْكَ شَيْئاً قُلْتُ: نَعَمْ قَالَ: فَإِنَّهُ لَمْ يَمْنَعْنِي حِينَ عَرَضْتَ عَلَيَّ أَنْ أَرْجِعَ إِلَيْكَ شَيْئاً إِلاَّ أَنِّي سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَذْكُرُهَا وَلَمْ أَكُنْ لأُفْشِيَ سِرَّ رَسُولِ ٱللَّهِ ﷺ وَلَوْ تَرَكَهَا نَكَحْتُهَا.

(25) ـ بابُ عَرْضِ المَرْأَةِ نَفْسَها على مَنْ تَرْضَى

3246 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنِي مَرْحُومُ بْنُ عَبْدِ الْعَزِيزِ الْعَطَّارُ أَبُو عَبْدِ الصَّمَدِ قَالَ: سَمِعْتُ ثَابِتاً الْبُنَانِيَّ يَقُولُ: كُنْتُ عِنْدَ أَنَسِ بْنِ مَالِكٍ وَعِنْدَهُ ٱبْنَةٌ لَهُ فَقَالَ: جَاءَتِ ٱمْرَأَةٌ إِلَى رَسُولِ ٱللَّهِ ﷺ فَعَرَضَتْ عَلَيْهِ نَفْسَهَا فَقَالَتْ: يَا رَسُولَ ٱللَّهِ أَلَكَ فِيَّ حَاجَةٌ؟.

3247 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مَرْحُومٌ قَالَ: حَدَّثَنَا ثَابِتٌ عَنْ أَنَسٍ: أَنَّ ٱمْرَأَةً عَرَضَتْ نَفْسَهَا عَلَى النَّبِيِّ ﷺ فَضَحِكَتِ ٱبْنَةُ أَنَسٍ فَقَالَتْ: مَا كَانَ أَقَلَّ حَيَاءَهَا فَقَالَ أَنَسٌ: هِيَ خَيْرٌ مِنْكِ عَرَضَتْ نَفْسَهَا عَلَى النَّبِيِّ ﷺ.

(26) ـ صَلاةُ المَرْأَةِ إذا خُطِبَتْ واسْتِخارَتُها رَبَّها

3248 ـ أَخْبَرَنَا سُوَيْدُ بْنُ نَصْرٍ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ الْمُغِيرَةِ عَنْ ثَابِتٍ عَنْ أَنَسٍ قَالَ: لَمَّا ٱنْقَضَتْ عِدَّةُ زَيْنَبَ قَالَ رَسُولُ ٱللَّهِ ﷺ لِزَيْدٍ: «**ٱذْكُرْهَا عَلَيَّ**» قَالَ زَيْدٌ: فَانْطَلَقْتُ فَقُلْتُ: يَا زَيْنَبُ أَبْشِرِي أَرْسَلَنِي إِلَيْكِ رَسُولُ ٱللَّهِ ﷺ يَذْكُرُكِ فَقَالَتْ: مَا أَنَا بِصَانِعَةٍ شَيْئاً حَتَّى أَسْتَأْمِرَ رَبِّي فَقَامَتْ إِلَى مَسْجِدِهَا وَنَزَلَ الْقُرْآنُ وَجَاءَ رَسُولُ ٱللَّهِ ﷺ فَدَخَلَ بِغَيْرِ أَمْرٍ.

3249 ـ أَخْبَرَنِي أَحْمَدُ بْنُ يَحْيَى الصُّوفِيُّ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا عِيسَى بْنُ طَهْمَانَ أَبُو بَكْرٍ سَمِعْتُ أَنَسَ بْنَ مَالِكٍ يَقُولُ: كَانَتْ زَيْنَبُ بِنْتُ جَحْشٍ تَفْخَرُ عَلَى نِسَاءِ النَّبِيِّ ﷺ تَقُولُ إِنَّ ٱللَّهَ عَزَّ وَجَلَّ أَنْكَحَنِي مِنَ

in connection with that) from Heaven." However, it is in connection with her that the Holy Verse of veiling was revealed.

[27] The Way Of Asking Allah To Guide One To The Better Choice

3250- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used to teach us how to ask Allah to guide one to get the better choice (concerning any job or deed), in all matters (Istikharah) as he taught us the Surahs of the Qur'an. He said: "When anyone of you thinks of doing any job he should offer a two-Rak'ah prayer other than the compulsory ones and say after the prayer: 'O Allah! I ask guidance from Your Knowledge, And help from Your Power and I ask You (to give me) From Your Great Bounty. You have power (over all things) and I have not. You know (all things) and I know not and You know the unseen. O Allah! If You know that this job is good for my religion and subsistence and in my Hereafter (or If it is better for my present and later needs) Then ordain it for me and make it easy for me to get, And then bless me in it. If You know that this job is harmful to me In my religion and subsistence and in the Hereafter (or If it is worse for my present and later needs) Then keep it away from me and let me be away from it. Ordain for me whatever is good for me, and make me satisfied with it.' Then, let one make a mention of that matter."

[28] One Might Give His Mother In Marriage

3251- It is narrated on the authority of Umm Salamah that when the period of her Iddat finished, Abu Bakr sent (somebody with the message of) his proposal for marrying her, and she rejected. The Messenger of Allah "Allah's blessing and peace be upon him" sent Umar Ibn Al-Khattab to her, in order to betroth her for him, thereupon she said to him: "Tell The Messenger of Allah "Allah's blessing and peace be upon him" that I'm a jealous woman (who could not help living with fellow-wives), and I further have many children. On the other hand, none of my guardians is present (to give me in marriage)." He came to The Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him. He said to him: "Return to her, and tell her: "As for your statement that 'I'm a jealous woman', I will invoke Allah for you, perchance He would remove your jealousy. As for your statement that 'I have many children', no doubt, you would be sufficed (the sustenance of) your children (Allah Willing). As for your statement that 'None of my guardians is present', you should know that none of your guardians, be he present or absent, dislikes that (I should marry you)." She said to her son: "O Umar! Stand up and give me in marriage to

السَّمَاءِ وَفِيهَا نَزَلَتْ آيَةُ الْحِجَابِ.

(27) ـ كَيْفَ الاسْتِخَارَةُ

3250 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا ٱبْنُ الْمَوَالِ عَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ: كَانَ رَسُولُ ٱللَّهِ ﷺ يُعَلِّمُنَا الاسْتِخَارَةَ فِي الأُمُورِ كُلِّهَا كَمَا يُعَلِّمُنَا السُّورَةَ مِنَ الْقُرْآنِ يَقُولُ: «**إِذَا هَمَّ أَحَدُكُمْ بِالأَمْرِ فَلْيَرْكَعْ رَكْعَتَيْنِ مِنْ غَيْرِ الْفَرِيضَةِ ثُمَّ يَقُولُ: اللَّهُمَّ إِنِّي أَسْتَخِيرُكَ بِعِلْمِكَ وَأَسْتَعِينُكَ بِقُدْرَتِكَ وَأَسْأَلُكَ مِنْ فَضْلِكَ الْعَظِيمِ فَإِنَّكَ تَقْدِرُ وَلاَ أَقْدِرُ وَتَعْلَمُ وَلاَ أَعْلَمُ وَأَنْتَ عَلاَّمُ الْغُيُوبِ اللَّهُمَّ إِنْ كُنْتَ تَعْلَمُ أَنَّ هٰذَا الأَمْرَ خَيْرٌ لِي فِي دِينِي وَمَعَاشِي وَعَاقِبَةِ أَمْرِي أَوْ قَالَ فِي عَاجِلِ أَمْرِي وَآجِلِهِ فَٱقْدُرْهُ لِي وَيَسِّرْهُ لِي ثُمَّ بَارِكْ لِي فِيهِ وَإِنْ كُنْتَ تَعْلَمُ أَنَّ هٰذَا الأَمْرَ شَرٌّ لِي فِي دِينِي وَمَعَاشِي وَعَاقِبَةِ أَمْرِي أَوْ قَالَ فِي عَاجِلِ أَمْرِي وَآجِلِهِ فَٱصْرِفْهُ عَنِّي وَٱصْرِفْنِي عَنْهُ وَٱقْدُرْ لِي الْخَيْرَ حَيْثُ كَانَ ثُمَّ أَرْضِنِي بِهِ** قَالَ: وَيُسَمِّي حَاجَتَهُ».

(28) ـ إِنْكَاحُ الابْنِ أُمَّهُ

3251 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَزِيدُ عَنْ حَمَّادِ بْنِ سَلَمَةَ عَنْ ثَابِتٍ الْبُنَانِيِّ حَدَّثَنِي ٱبْنُ عُمَرَ بْنِ أَبِي سَلَمَةَ عَنْ أَبِيهِ عَنْ أُمِّ سَلَمَةَ لَمَّا ٱنْقَضَتْ عِدَّتُهَا بَعَثَ إِلَيْهَا أَبُو بَكْرٍ يَخْطُبُهَا عَلَيْهِ فَلَمْ تَزَوَّجْهُ فَبَعَثَ إِلَيْهَا رَسُولُ ٱللَّهِ ﷺ عُمَرَ بْنَ الْخَطَّابِ يَخْطُبُهَا عَلَيْهِ فَقَالَتْ: أَخْبِرْ رَسُولَ ٱللَّهِ ﷺ أَنِّي ٱمْرَأَةٌ غَيْرَى وَأَنِّي ٱمْرَأَةٌ مُصْبِيَةٌ وَلَيْسَ أَحَدٌ مِنْ أَوْلِيَائِي شَاهِدٌ فَأَتَى رَسُولَ ٱللَّهِ ﷺ فَذَكَرَ ذٰلِكَ لَهُ فَقَالَ: «**ٱرْجِعْ إِلَيْهَا فَقُلْ لَهَا: أَمَّا قَوْلُكِ إِنِّي ٱمْرَأَةٌ غَيْرَى فَسَأَدْعُو ٱللَّهَ لَكِ فَيُذْهِبُ غَيْرَتَكِ وَأَمَّا قَوْلُكِ إِنِّي ٱمْرَأَةٌ مُصْبِيَةٌ فَسَتُكْفَيْنَ صِبْيَانَكِ وَأَمَّا قَوْلُكِ أَنْ لَيْسَ أَحَدٌ مِنْ أَوْلِيَائِي شَاهِدٌ فَلَيْسَ أَحَدٌ مِنْ أَوْلِيَائِكِ شَاهِدٌ وَلاَ غَائِبٌ يَكْرَهُ ذٰلِكَ**» فَقَالَتْ لاِبْنِهَا: يَا عُمَرُ قُمْ فَزَوِّجْ

The Messenger of Allah "Allah's blessing and peace be upon him"." And he did accordingly.

[29] One Gives His Young Daughter In Marriage

3252- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" married her when she was still six years old, and consummated marriage with her when she was nine years old.

3253- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" married me when I was still seven years old, and consummated marriage with me when I was nine years old.

3254- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" married me when I was nine years old, and I remained with him nine years (before he died).

3255- It is narrated on the authority of A'ishah that Allah's Apostle "Allah's blessing and peace be upon him" married her when she was nine years old, and he died when she was eighteen years old.

[30] A Man Gives His Adult Daughter In Marriage

3256- It is narrated on the authority of Abdullah Ibn Umar from Umar that Hafsah Bint Umar lost her husband Khunais Ibn Hudhaifah As-Sahmi who was one of the companions of Allah's Apostle "Allah's blessing and peace be upon him" and had taken part in the battle of Badr and had died in Medina. Umar said: I met Uthman Ibn Affan and suggested that he might marry Hafsah saying: "If you wish, I will marry Hafsah Bint Umar to you." He said: "I will think it over." I waited for a few days and then he met me and said: "It seems to me that I shall not marry at present." Then I met Abu Bakr and said: "If you wish, I will marry Hafsah Bint Umar to you." He kept quiet and did give me no reply. I became angrier with him than I was with Uthman. Some days later, Allah's Apostle "Allah's blessing and peace be upon him" demanded her hand in marriage to whom I married her. Later on Abu Bakr met me and said: "Perhaps you were angry with me when you offered Hafsah to me for marriage and I gave no reply to you!" I said: "Yes." Abu Bakr said: "Nothing prevented me from accepting your offer except that I learnt that Allah's Apostle "Allah's blessing and peace be upon him" had referred to the issue of Hafsah and I did not want to disclose the secret of Allah's Apostle "Allah's blessing and peace be upon him". But had he given her up I would surely have accepted her."

رَسُولَ ٱللَّهِ ﷺ فَزَوَّجَهُ. مُخْتَصَرٌ.

(29) ـ إِنْكَاحُ الرَّجُلِ ابْنَتَهُ الصَّغِيرَةَ

3252 ـ أَخْبَرَنَا إِسحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا أَبُو مُعَاوِيَةَ قَالَ: حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ تَزَوَّجَهَا وَهِيَ بِنْتُ سِتٍّ وَبَنَى بِهَا وَهِيَ بِنْتُ تِسْعٍ.

3253 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ النَّضْرِ بْنِ مُسَاوِرٍ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ سُلَيْمَانَ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: تَزَوَّجَنِي رَسُولُ ٱللَّهِ ﷺ لِسَبْعِ سِنِينَ وَدَخَلَ عَلَيَّ لِتِسْعِ سِنِينَ.

3254 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا عَبْثَرٌ عَنْ مُطَرِّفٍ عَنْ أَبِي إِسْحَاقَ عَنْ أَبِي عُبَيْدَةَ قَالَ: قَالَتْ عَائِشَةُ: تَزَوَّجَنِي رَسُولُ ٱللَّهِ ﷺ لِتِسْعِ سِنِينَ وَصَحِبْتُهُ تِسْعاً.

3255 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ وَأَحْمَدُ بْنُ حَرْبٍ قَالاَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ: تَزَوَّجَهَا رَسُولُ ٱللَّهِ ﷺ وَهِيَ بِنْتُ تِسْعٍ وَمَاتَ عَنْهَا وَهِيَ بِنْتُ ثَمَانِي عَشْرَةَ.

(30) ـ إِنْكَاحُ الرَّجُلِ ابْنَتَهُ الكَبِيرَةَ

3256 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ بْنِ سَعْدٍ قَالَ: حَدَّثَنَا أَبِي عَنْ صَالِحٍ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ ٱللَّهِ أَنَّهُ سَمِعَ عَبْدَ ٱللَّهِ بْنَ عُمَرَ يُحَدِّثُ أَنَّ عُمَرَ بْنَ الْخَطَّابِ رَضِيَ ٱللَّهُ عَنْهُ حَدَّثَنَا قَالَ: يَعْنِي: تَأَيَّمَتْ حَفْصَةُ بِنْتُ عُمَرَ مِنْ خُنَيْسِ بْنِ حُذَافَةَ السَّهْمِيِّ وَكَانَ مِنْ أَصْحَابِ رَسُولِ ٱللَّهِ ﷺ فَتُوُفِّيَ بِالْمَدِينَةِ قَالَ عُمَرُ: فَأَتَيْتُ عُثْمَانَ بْنَ عَفَّانَ رَضِيَ ٱللَّهُ عَنْهُ فَعَرَضْتُ عَلَيْهِ حَفْصَةَ بِنْتَ عُمَرَ قَالَ: قُلْتُ إِنْ شِئْتَ أَنْكَحْتُكَ حَفْصَةَ قَالَ: سَأَنْظُرُ فِي أَمْرِي فَلَبِثْتُ لَيَالِيَ ثُمَّ لَقِيَنِي فَقَالَ: قَدْ بَدَا لِي أَنْ لاَ أَتَزَوَّجَ يَوْمِي هٰذَا قَالَ عُمَرُ: فَلَقِيتُ أَبَا بَكْرٍ الصِّدِّيقَ رَضِيَ ٱللَّهُ عَنْهُ فَقُلْتُ: إِنْ شِئْتَ زَوَّجْتُكَ حَفْصَةَ بِنْتَ عُمَرَ فَصَمَتَ أَبُو بَكْرٍ فَلَمْ يَرْجِعْ إِلَيَّ شَيْئاً فَكُنْتُ عَلَيْهِ أَوْجَدَ مِنِّي عَلَى عُثْمَانَ فَلَبِثْتُ لَيَالِيَ ثُمَّ خَطَبَهَا رَسُولُ ٱللَّهِ ﷺ فَأَنْكَحْتُهَا إِيَّاهُ فَلَقِيَنِي أَبُو بَكْرٍ فَقَالَ: لَعَلَّكَ وَجَدْتَ عَلَيَّ حِينَ عَرَضْتَ عَلَيَّ حَفْصَةَ فَلَمْ أَرْجِعْ إِلَيْكَ شَيْئاً قَالَ عُمَرُ: قُلْتُ نَعَمْ قَالَ: فَإِنَّهُ لَمْ يَمْنَعْنِي أَنْ أَرْجِعَ إِلَيْكَ شَيْئاً فِيمَا عَرَضْتَ عَلَيَّ إِلاَّ أَنِّي قَدْ كُنْتُ عَلِمْتُ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَدْ ذَكَرَهَا وَلَمْ أَكُنْ لأُفْشِيَ سِرَّ رَسُولِ ٱللَّهِ ﷺ وَلَوْ تَرَكَهَا رَسُولُ ٱللَّهِ ﷺ قَبِلْتُهَا.

[31] The Consent Of A Virgin Should Be Sought (Before Marriage)

3257- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The matron (previously married woman) has more claim over (marrying) herself than her guardian; and the consent of a virgin should be sought pertaining to her marriage, and her silence refers to her consent."

3258- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The matron (previously married woman) has more claim over (marrying) herself than her guardian; and the consent of a female orphan should be sought pertaining to her marriage, and her consent is expressed by her silence."

3259- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The matron (previously married woman) has more claim over (marrying) herself than her guardian; and a female orphan should be consulted pertaining to her marriage, and her consent is expressed by her silence."

3260- It is narrated on the authority of Ibn Abbas that Allah's Apostle "Allah's blessing and peace be upon him" said: "The guardian has nothing to do with the matron (previously married woman as long as her marriage is concerned); and a female orphan should be consulted (pertaining to her marriage), and her silence refers to her consent."

[32] The Father Should Seek The Consent Of His Virgin Daughter Pertaining To Her Marriage

3261- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The matron (previously married woman) has more claim over (marrying) herself than her guardian; and the virgin should be consulted by her father pertaining to her marriage, and her consent is expressed through her silence."

[33] Consulting A Matron In Her Marriage

3262- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The matron (previously married woman) should not be given in marriage until she is consulted; and the virgin should not be given in marriage until her consent is taken." They asked: "O Messenger of Allah! What is (the sign of) her (the virgin's) consent?" he said: "Her consent is that she keeps silent."

(31) ـ اسْتِئْذَانُ البِكْرِ في نَفْسِها

3257 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا مَالِكٌ عَنْ عَبْدِ ٱللَّهِ بْنِ الْفَضْلِ عَنْ نَافِعِ بْنِ جُبَيْرِ بْنِ مُطْعِمٍ عَنِ ٱبْنِ عَبَّاسٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«الأَيِّمُ أَحَقُّ بِنَفْسِهَا مِنْ وَلِيِّهَا وَالْبِكْرُ تُسْتَأْذَنُ فِي نَفْسِهَا وَإِذْنُهَا صُمَاتُهَا»**.

3258 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ مَالِكِ بْنِ أَنَسٍ قَالَ: سَمِعْتُهُ مِنْه بَعْدَ مَوْتِ نَافِعٍ بِسَنَةٍ وَلَهُ يَوْمَئِذٍ حَلْقَةٌ قَالَ: أَخْبَرَنِي عَبْدُ ٱللَّهِ بْنُ الْفَضْلِ عَنْ نَافِعِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ أَنَّ النَّبِيَّ ﷺ قَالَ: **«الأَيِّمُ أَحَقُّ بِنَفْسِهَا مِنْ وَلِيِّهَا وَالْيَتِيمَةُ تُسْتَأْمَرُ وَإِذْنُهَا صُمَاتُهَا»**.

3259 ـ أَخْبَرَنِي أَحْمَدُ بْنُ سَعِيدٍ الرِّبَاطِيُّ قَالَ: حَدَّثَنَا يَعْقُوبُ قَالَ: حَدَّثَنِي أَبِي عَنِ ٱبْنِ إِسْحَاقَ قَالَ: حَدَّثَنِي صَالِحُ بْنُ كَيْسَانَ عَنْ عَبْدِ ٱللَّهِ بْنِ الْفَضْلِ بنِ عَبَّاسِ بْنِ رَبِيعَةَ عَنْ نَافِعِ بْنِ جُبَيْرِ بْنِ مُطْعِمٍ عَنِ ٱبْنِ عَبَّاسٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«الأَيِّمُ أَوْلَى بِأَمْرِهَا وَالْيَتِيمَةُ تُسْتَأْمَرُ فِي نَفْسِهَا وَإِذْنُهَا صُمَاتُهَا»**.

3260 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا مَعْمَرٌ عَنْ صَالِحِ بْنِ كَيْسَانَ عَنْ نَافِعِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«لَيْسَ لِلْوَلِيِّ مَعَ الثَّيِّبِ أَمْرٌ وَالْيَتِيمَةُ تُسْتَأْمَرُ فَصَمْتُهَا إِقْرَارُهَا»**.

(32) ـ اسْتِئْمَارُ الأَبِ البِكْرَ في نَفْسِها

3261 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ زِيَادِ بْنِ سَعِيدٍ عَنْ عَبْدِ ٱللَّهِ بْنِ الْفَضْلِ عَنْ نَافِعِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ أَنَّ النَّبِيَّ ﷺ قَالَ: **«الثَّيِّبُ أَحَقُّ بِنَفْسِهَا وَالْبِكْرُ يَسْتَأْمِرُهَا أَبُوهَا وَإِذْنُهَا صُمَاتُهَا»**.

(33) ـ اسْتِئْمَارُ الثَّيِّبِ في نَفْسِها

3262 ـ أَخْبَرَنَا يَحْيَى بْنُ دُرُسْتَ قَالَ: حَدَّثَنَا أَبُو إِسْمَاعِيلَ قَالَ: حَدَّثَنَا يَحْيَى أَنَّ أَبَا سَلَمَةَ حَدَّثَهُ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لاَ تُنْكَحُ الثَّيِّبُ حَتَّى تُسْتَأْذَنَ وَلاَ تُنْكَحُ الْبِكْرُ حَتَّى تُسْتَأْمَرَ»** قَالُوا: يَا رَسُولَ ٱللَّهِ كَيْفَ إِذْنُهَا؟ قَالَ: **«إِذْنُهَا أَنْ تَسْكُتَ»**.

[34] The Consent Of A Virgin

3263- It is narrated on the authority of A'ishah that Allah's Apostle "Allah's blessing and peace be upon him" said: "Consult women concerning their private parts (i.e. their marriage)." It was said: "The virgin feels shy and keeps silent." On that he said: "Such (silence) is her consent."

3264- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The matron (previously married woman) should not be given in marriage until she is consulted; and the virgin should not be given in marriage until her consent is taken." They asked: "O Messenger of Allah! What is (the sign of) her consent?" he said: "Her consent is that she keeps silent."

[35] When A Matron Is Given By Her Father In Marriage Even Though Against Her Will

3265- It is narrated on the authority of Khansa' Bint Khidham that her father gave her in marriage against her will, and she was previously married, thereupon she went to Allah's Apostle "Allah's blessing and peace be upon him" (and made a mention of that to him), and he cancelled her marriage.

[36] When A Virgin Is Given By Her Father In Marriage Even Though Against Her Will

3266- It is narrated on the authority of Ibn Buraidah from his father from A'ishah that a girl came to her and said: "My father gave me in marriage to a son of his brother, perchance, with the help of (his marriage from) me, he would raise his low status, even though against my will." She said to her: "Sit down (and wait) until the Messenger of Allah "Allah's blessing and peace be upon him" comes." the Messenger of Allah "Allah's blessing and peace be upon him" came, and she made a mention of that to him, and he sent to her father and invited him, and referred the matter (of agreement or rejection) to her, thereupon she said: "I have accepted what my brother did. But I've just wanted to be sure of the fact that it is up to women (to decide the matter of their marriage)."

3267- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "The female orphan should be consulted concerning her marriage: if she keeps silent, this is her consent, and if she refuses, no marriage is due upon her."

[37] The Concession For A Muhrim To Marry

3268- It is narrated on the authority of Ibn Abbas that he said: the Messenger of Allah "Allah's blessing and peace be upon him" married

(34) ـ إِذْنُ البِكْرِ

3263 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: سَمِعْتُ ٱبْنَ أَبِي مُلَيْكَةَ يُحَدِّثُ عَنْ ذَكْوَانَ أَبِي عَمْرٍو عَنْ عَائِشَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**ٱسْتَأْمِرُوا النِّسَاءَ فِي أَبْضَاعِهِنَّ**» قِيلَ: فَإِنَّ الْبِكْرَ تَسْتَحِي وَتَسْكُتُ قَالَ: «**هُوَ إِذْنُهَا**».

3264 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ وَهُوَ ٱبْنُ الْحَارِثِ قَالَ: حَدَّثَنَا هِشَامٌ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ قَالَ: حَدَّثَنِي أَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنِي أَبُو هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**لاَ تُنْكَحُ الأَيِّمُ حَتَّى تُسْتَأْمَرَ وَلاَ تُنْكَحُ الْبِكْرُ حَتَّى تُسْتَأْذَنَ**» قَالُوا: يَا رَسُولَ ٱللَّهِ كَيْفَ إِذْنُهَا؟ قَالَ: «**أَنْ تَسْكُتَ**».

(35) ـ الثَّيِّبُ يُزَوِّجُها أَبُوها وهي كَارِهَةٌ

3265 ـ أَخْبَرَنَا هَارُونَ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ وَأَنْبَأَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ الْقَاسِمِ عَنْ مَالِكٍ قَالَ: حَدَّثَنِي عَبْدُ الرَّحْمٰنِ بْنُ الْقَاسِمِ عَنْ أَبِيهِ عَنْ عَبْدِ الرَّحْمٰنِ وَمُجَمِّعِ ٱبْنَيْ يَزِيدَ بْنِ جَارِيَةَ الأَنْصَارِيِّ عَنْ خَنْسَاءَ بِنْتِ خِذَامٍ أَنَّ أَبَاهَا زَوَّجَهَا وَهِيَ ثَيِّبٌ فَكَرِهَتْ ذٰلِكَ فَأَتَتْ رَسُولَ ٱللَّهِ ﷺ فَرَدَّ نِكَاحَهُ.

(36) ـ البِكْرُ يُزَوِّجُهَا أَبُوها وهي كَارِهَةٌ

3266 ـ أَخْبَرَنَا زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ غُرَابٍ قَالَ: حَدَّثَنَا كَهْمَسُ بْنُ الْحَسَنِ عَنْ عَبْدِ ٱللَّهِ بْنِ بُرَيْدَةَ عَنْ عَائِشَةَ: أَنَّ فَتَاةً دَخَلَتْ عَلَيْهَا فَقَالَتْ: إِنَّ أَبِي زَوَّجَنِي ٱبْنَ أَخِيهِ لِيَرْفَعَ بِي خَسِيسَتَهُ وَأَنَا كَارِهَةٌ قَالَتِ: ٱجْلِسِي حَتَّى يَأْتِيَ النَّبِيُّ ﷺ فَجَاءَ رَسُولُ ٱللَّهِ ﷺ فَأَخْبَرَتْهُ فَأَرْسَلَ إِلَى أَبِيهَا فَدَعَاهُ فَجَعَلَ الأَمْرَ إِلَيْهَا فَقَالَتْ: يَا رَسُولَ ٱللَّهِ قَدْ أَجَزْتَ مَا صَنَعَ أَبِي وَلٰكِنْ أَرَدْتُ أَنْ أَعْلَمَ أَلِلنِّسَاءِ مِنَ الأَمْرِ شَيْءٌ.

3267 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَمْرٍو قَالَ: حَدَّثَنَا أَبُو سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**تُسْتَأْمَرُ الْيَتِيمَةُ فِي نَفْسِهَا فَإِنْ سَكَتَتْ فَهُوَ إِذْنُهَا وَإِنْ أَبَتْ فَلاَ جَوَازَ عَلَيْهَا**».

(37) ـ الرُّخْصَةُ في نِكَاحِ المُحْرِمِ

3268 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ عَنْ مُحَمَّدِ بْنِ سَوَاءٍ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ وَيَعْلَى بْنُ حَكِيمٍ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: تَزَوَّجَ رَسُولُ ٱللَّهِ ﷺ مَيْمُونَةَ

Maimunah Bint Al-Harith while he was in the state of Ihram and this was at Sarif (but he did not consummate marriage with her until he put off Ihram).

3269- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" married Maimunah while he was in the state of Ihram (but he did not consummate marriage with her until he put off Ihram).

3270- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" married Maimunah while he was in the state of Ihram (but he did not consummate marriage with her until he put off Ihram); and she referred her matter to Al-Abbas, who gave her to him in marriage.

3271- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" married Maimunah while he was in the state of Ihram (but he did not consummate marriage with her until he put off Ihram).

[38] A Muhrim Is Forbidden To Marry

3272- It is narrated on the authority of Uthman Ibn Affan that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "A Muhrim should not marry, nor give in marriage, nor propose to marry."

3273- It is narrated on the authority of Uthman Ibn Affan that the Messenger of Allah "Allah's blessing and peace be upon him" said: "A Muhrim should not marry, nor give in marriage, nor propose to marry."

[39] What Is Desirable To Say At The Time Of Marriage

3274- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" taught us the Tashahhud of prayer and the sermon of need. As to the sermon of need, it goes as follows: "Praise be to Allah: we praise Him, seek His Aid, and ask for His Forgiveness. We seek refuge with Allah from the evil of our souls: none could lead astray whomever Allah guides aright, nor could one guide aright whomever Allah leaves to go astray. I bear testimony to the fact that there is no god (to be worshipped) but Allah; and that Muhammad is His servant and Messenger." Then, one should recite three Holy Verses…

3275- It is narrated on the authority of Ibn Abbas that a man talked to The Messenger of Allah "Allah's blessing and peace be upon him" about something, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Praise be to Allah: we praise Him, and seek His Aid: none could lead astray whomever Allah guides aright, nor could one guide

بِنْتَ الْحَارِثِ وَهُوَ مُحْرِمٌ. وَفِي حَدِيثِ يَعْلَى: بِسَرِفَ.

3269 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو عَنْ أَبِي الشَّعْثَاءِ أَنَّ ٱبْنَ عَبَّاسٍ أَخْبَرَهُ: أَنَّ النَّبِيَّ ﷺ تَزَوَّجَ مَيْمُونَةَ وَهُوَ مُحْرِمٌ.

3270 ـ أَخْبَرَنَا عُثْمَانُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنِي إِبْرَاهِيمُ بْنُ الْحَجَّاجِ قَالَ: حَدَّثَنَا وُهَيْبٌ عَنِ ٱبْنِ جُرَيْجٍ عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ النَّبِيَّ ﷺ نَكَحَ مَيْمُونَةَ وَهُوَ مُحْرِمٌ جَعَلَتْ أَمْرَهَا إِلَى الْعَبَّاسِ فَأَنْكَحَهَا إِيَّاهُ.

3271 ـ أَخْبَرَنَا أَحْمَدُ بْنُ نَصْرٍ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ وَهُوَ ٱبْنُ مُوسَى عَنِ ٱبْنِ جُرَيْجٍ عَنْ عَطَاءٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ تَزَوَّجَ مَيْمُونَةَ وَهُوَ مُحْرِمٌ.

(38) ـ النَّهْيُ عن نِكَاحِ المُحْرِمِ

3272 ـ أَخْبَرَنَا هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ نَافِعٍ عَنْ نُبَيْهِ بْنِ وَهْبٍ أَنَّ أَبَانَ بْنَ عُثْمَانَ قَالَ: سَمِعْتُ عُثْمَانَ بْنَ عَفَّانَ رَضِيَ ٱللَّهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ يَنْكِحُ الْمُحْرِمُ وَلاَ يُنْكِحُ وَلاَ يَخْطُبُ»**.

3273 ـ أَخْبَرَنَا أَبُو الأَشْعَثِ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ مَطَرٍ وَيَعْلَى بْنُ حَكِيمٍ عَنْ نُبَيْهِ بْنِ وَهْبٍ عَنْ أَبَانَ بْنِ عُثْمَانَ أَنَّ عُثْمَانَ بْنَ عَفَّانَ رَضِيَ ٱللَّهُ عَنْهُ حَدَّثَ عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ: **«لاَ يَنْكِحُ الْمُحْرِمُ وَلاَ يُنْكِحُ وَلاَ يَخْطُبُ»**.

(39) ـ ما يُسْتَحَبُّ مِنَ الكَلامِ عند النِّكَاحِ

3274 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا عَبْثَرٌ عَنِ الأَعْمَشِ عَنْ أَبِي إِسْحَاقَ عَنْ أَبِي الأَحْوَصِ عَنْ عَبْدِ ٱللَّهِ قَالَ: عَلَّمَنَا رَسُولُ ٱللَّهِ ﷺ التَّشَهُّدَ فِي الصَّلاَةِ وَالتَّشَهُّدَ فِي الْحَاجَةِ قَالَ: **«التَّشَهُّدُ فِي الْحَاجَةِ أَنِ الْحَمْدُ لِلَّهِ نَسْتَعِينُهُ وَنَسْتَغْفِرُهُ وَنَعُوذُ بِاللَّهِ مِنْ شُرُورِ أَنْفُسِنَا مَنْ يَهْدِهِ ٱللَّهُ فَلاَ مُضِلَّ لَهُ وَمَنْ يُضْلِلِ ٱللَّهُ فَلاَ هَادِيَ لَهُ وَأَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ ٱللَّهُ وَأَشْهَدُ أَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ وَيَقْرَأُ ثَلاَثَ آيَاتٍ»**.

3275 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عِيسَى قَالَ: حَدَّثَنَا يَحْيَى بْنُ زَكَرِيَّا بْنِ أَبِي زَائِدَةَ عَنْ دَاوُدَ عَنْ عَمْرِو بْنِ سَعِيدٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ أَنَّ رَجُلاً كَلَّمَ النَّبِيَّ ﷺ فِي شَيْءٍ فَقَالَ النَّبِيُّ ﷺ: **«إِنَّ الْحَمْدَ لِلَّهِ نَحْمَدُهُ وَنَسْتَعِينُهُ مَنْ يَهْدِهِ ٱللَّهُ فَلاَ مُضِلَّ لَهُ وَمَنْ يُضْلِلِ ٱللَّهُ فَلاَ هَادِيَ لَهُ وَأَشْهَدُ أَنْ لاَ**

aright whomever Allah leaves to go astray. I bear testimony to the fact that there is no god (to be worshipped) but Allah, the One and Only, with Whom there is no partner; and that Muhammad is His servant and Messenger: to go further…"

[40] Which Of Sermon Is Undesirable To Say

3276- It is narrated on the authority of Adi Ibn Hatim that he said: Two men delivered sermons in the presence of The Messenger of Allah "Allah's blessing and peace be upon him". One of them said: "He, who obeys Allah and His Messenger, has indeed been guided aright; and he, who disobeys them has, indeed, gone astray." On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "How bad orator you are!" (The Prophet here seemed to have rejected the pronoun "them" which refers to both Allah and His Messenger, lest it might give the false impression of equality which is unfitting by all means).

[41] The Words Therewith The Tie Of Marriage Is Held

3277- It is narrated on the authority of Sahl Ibn Sa'd that he said: While I was sitting among the people in the presence of The Messenger of Allah "Allah's blessing and peace be upon him", a lady stood up and said: "O Messenger of Allah! She (referring to herself) has granted herself to you! Make your decision pertaining to her." But Allah's Apostle "Allah's blessing and peace be upon him" gave no reply. She once again stood up and said: "O Messenger of Allah! She (referring to herself) has granted herself to you! Make your decision pertaining to her." A man stood and said: "Give her to me in marriage O Messenger of Allah." He asked him: "Do you have anything (to give her as dower)?" he answered in the negative. He said to him: "Go and seek (a dower of) even an iron ring." He went and sought that, but he found nothing. He returned and said: "I've found nothing, and not even a ring of iron." He asked him: "Do you have (and keep by heart) any Surahs from the Holy Qur'an?" he said: "Yes, I have (and keep by heart) such and such Surahs." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "I've given her to you in marriage for such Surahs from the Holy Qur'an as you have (and keep by heart)."

[42] The Conditions Pertaining To Marriage

3278- It is narrated on the authority of Uqbah Ibn Amir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The conditions which are most fitting to be fulfilled are those therewith you make lawful the private parts (i.e. those of marriage)."

3279- It is narrated on the authority of Uqbah Ibn Amir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The

إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ وَأَشْهَدُ أَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ أَمَّا بَعْدُ».

(40) ـ ما يُكْرَهُ مِنَ الخُطْبَةِ

3276 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: أَنْبَأَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَبْدِ الْعَزِيزِ عَنْ تَمِيمِ بْنِ طَرَفَةَ عَنْ عَدِيِّ بْنِ حَاتِمٍ قَالَ: تَشَهَّدَ رَجُلاَنِ عِنْدَ النَّبِيِّ ﷺ فَقَالَ أَحَدُهُمَا: مَنْ يُطِعِ ٱللَّهَ وَرَسُولَهُ فَقَدْ رَشِدَ وَمَنْ يَعْصِهِمَا فَقَدْ غَوَى فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «بِئْسَ الْخَطِيبُ أَنْتَ».

(41) ـ بابُ الكَلامِ الَّذي يَنْعَقِدُ به النِّكَاحُ

3277 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ عَنِ سُفْيَانَ قَالَ: سَمِعْتُ أَبَا حَازِمٍ يَقُولُ: سَمِعْتُ سَهْلَ بْنَ سَعْدٍ يَقُولُ: إِنِّي لَفِي الْقَوْمِ عِنْدَ النَّبِيِّ ﷺ فَقَامَتِ ٱمْرَأَةٌ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إِنَّهَا قَدْ وَهَبَتْ نَفْسَهَا لَكَ فَرَأْ فِيهَا رَأْيَكَ فَسَكَتَ فَلَمْ يُجِبْهَا النَّبِيُّ ﷺ بِشَيْءٍ ثُمَّ قَامَتْ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إِنَّهَا قَدْ وَهَبَتْ نَفْسَهَا لَكَ فَرَأْ فِيهَا رَأْيَكَ فَقَامَ رَجُلٌ فَقَالَ: زَوِّجْنِيهَا يَا رَسُولَ ٱللَّهِ قَالَ: «هَلْ مَعَكَ شَيْءٌ؟» قَالَ: لاَ قَالَ: «ٱذْهَبْ فَاطْلُبْ وَلَوْ خَاتَماً مِنْ حَدِيدٍ» فَذَهَبَ فَطَلَبَ ثُمَّ جَاءَ فَقَالَ: لَمْ أَجِدْ شَيْئاً وَلاَ خَاتَماً مِنْ حَدِيدٍ قَالَ: «هَلْ مَعَكَ مِنَ الْقُرْآنِ شَيْءٌ؟» قَالَ: نَعَمْ مَعِي سُورَةُ كَذَا وَسُورَةُ كَذَا قَالَ: «قَدْ أَنْكَحْتُكَهَا عَلَى مَا مَعَكَ مِنَ الْقُرْآنِ».

(42) ـ الشُّرُوطُ في النِّكَاحِ

3278 ـ أَخْبَرَنَا عِيسَى بْنُ حَمَّادٍ قَالَ: أَنْبَأَنَا اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ أَبِي الْخَيْرِ عَنْ عُقْبَةَ بْنِ عَامِرٍ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: «إِنَّ أَحَقَّ الشُّرُوطِ أَنْ يُوَفَّى بِهِ مَا ٱسْتَحْلَلْتُمْ بِهِ الْفُرُوجَ».

3279 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ تَمِيمٍ قَالَ: سَمِعْتُ حَجَّاجاً يَقُولُ: قَالَ ٱبْنُ جُرَيْجٍ: أَخْبَرَنِي سَعِيدُ بْنُ أَبِي أَيُّوبَ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ أَنَّ أَبَا الْخَيْرِ حَدَّثَهُ

conditions which are most fitting to be fulfilled are those therewith you make lawful the private parts (i.e. those of marriage)."

[43] The Marriage Therewith The Irrevocably Divorced Woman Becomes Lawful For Such As Has Divorced Her Thrice To Remarry

3280- It is narrated on the authority of A'ishah that she said: The wife of Rifa'ah Al-Qurzhi came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Rifa'ah divorced me irrevocably. Then I married Abd Ar-Rahman Ibn Az-Zabir who has only something like a fringe of a garment (i.e. he is sexually impotent)." The Messenger of Allah "Allah's blessing and peace be upon him" smiled and said to the woman: "Perhaps you want to return to Rifa'ah! That is impossible unless you taste the pleasure of sexual intercourse with him (or with any husband else), and he tastes the pleasure of sexual intercourse with you."

[44] One's Step-Daughter Is Prohibited To Him To Marry

3281- It is narrated on the authority of Umm Habibah Bint Abu Sufyan that she said: I said: "O Allah's Apostle! Marry my sister, the daughter of Abu Sufyan!" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do you like that?" I replied: "Yes, for even now I am not your only wife and I like most that my sister should share the good with me." The Prophet "Allah's blessing and peace be upon him" said: "But that is not lawful for me." I said: "We have heard that you want to marry Durrah, daughter of Abu Salamah." He said: "(You mean) the daughter of Um Salamah?" I said: "Yes." He said: "Even if she is not my step-daughter, she would be unlawful for me to marry since she is my foster niece. Abu Salamah and I were suckled by Thuwaibah. So you should not offer to me your daughters or your sisters (in marriage)."

[45] It Is Prohibited To Combine Both The Woman And Her Daughter In Wedlock

3282- It is narrated on the authority of Umm Habibah Bint Abu Sufyan that she said: I said: "O Allah's Apostle! Marry my sister, the daughter of Abu Sufyan!" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do you like that?" I replied: "Yes, for even now I am not your only wife and I like most that my sister should share the good with me." The Prophet "Allah's blessing and peace be upon him" said: "But that is not lawful for me." I said: "By Allah! We have heard that you want to marry Durrah, daughter of Abu Salamah." He said: "(You mean) the daughter of Um Salamah?" I said: "Yes." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "By Allah, even if she is not my step-daughter,

عَنْ عُقْبَةَ بْنِ عَامِرٍ عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّ أَحَقَّ الشُّرُوطِ أَنْ يُوَفَّى بِهِ مَا ٱسْتَحْلَلْتُمْ بِهِ الْفُرُوجَ».

(43) ـ النِّكَاحُ الذي تَحُلُّ به المُطَلَّقَةُ ثلاثاً لمُطَلِّقِها

3280 ـ أَخْبَرَنَا إِسحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: جَاءَتِ ٱمْرَأَةُ رِفَاعَةَ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَتْ: إِنَّ رِفَاعَةَ طَلَّقَنِي فَأَبَتَّ طَلاَقِي وَإِنِّي تَزَوَّجْتُ بَعْدَهُ عَبْدَ الرَّحْمٰنِ بْنَ الزَّبِيرِ وَمَا مَعَهُ إِلاَّ مِثْلُ هُدْبَةِ الثَّوْبِ فَضَحِكَ رَسُولُ ٱللَّهِ ﷺ وَقَالَ: «لَعَلَّكِ تُرِيدِينَ أَنْ تَرْجِعِي إِلَى رِفَاعَةَ؟ لاَ حَتَّى يَذُوقَ عُسَيْلَتَكِ وَتَذُوقِي عُسَيْلَتَهُ».

(44) ـ تَحْرِيمُ الرَّبِيبَةِ التي في حِجْرِهِ

3281 ـ أَخْبَرَنَا عِمْرَانُ بْنُ بَكَّارٍ قَالَ: حَدَّثَنَا أَبُو الْيَمَانِ قَالَ: أَنْبَأَنَا شُعَيْبٌ قَالَ: أَخْبَرَنِي الزُّهْرِيُّ قَالَ: أَخْبَرَنِي عُرْوَةُ أَنَّ زَيْنَبَ بِنْتَ أَبِي سَلَمَةَ وَأُمُّهَا أُمُّ سَلَمَةَ زَوْجُ النَّبِيِّ ﷺ أَخْبَرَتْهُ أَنَّ أُمَّ حَبِيبَةَ بِنْتِ أَبِي سُفْيَانَ أَخْبَرَتْهَا: أَنَّهَا قَالَتْ: يَا رَسُولَ ٱللَّهِ أَنْكِحْ أُخْتِي بِنْتَ أَبِي سُفْيَانَ قَالَتْ: فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «أَوَ تُحِبِّينَ ذٰلِكَ؟» فَقُلْتُ: نَعَمْ لَسْتُ لَكَ بِمُخْلِيَةٍ وَأَحَبُّ مَنْ يُشَارِكُنِي فِي خَيْرٍ أُخْتِي فَقَالَ النَّبِيُّ ﷺ: «إِنَّ أُخْتَكِ لاَ تَحِلُّ لِي» فَقُلْتُ: وَٱللَّهِ يَا رَسُولَ ٱللَّهِ إِنَّا لَنَتَحَدَّثُ أَنَّكَ تُرِيدُ أَنْ تَنْكِحَ دُرَّةَ بِنْتَ أَبِي سَلَمَةَ فَقَالَ: «بِنْتُ أُمِّ سَلَمَةَ؟» فَقُلْتُ: نَعَمْ فَقَالَ: «وَٱللَّهِ لَوْلاَ أَنَّهَا رَبِيبَتِي فِي حِجْرِي مَا حَلَّتْ لِي إِنَّهَا لابْنَةُ أَخِي مِنَ الرَّضَاعَةِ أَرْضَعَتْنِي وَأَبَا سَلَمَةَ ثُوَيْبَةُ فَلاَ تَعْرِضْنَ عَلَيَّ بَنَاتِكُنَّ وَلاَ أَخَوَاتِكُنَّ».

(45) ـ تَحْرِيمُ الجَمْعِ بين الأُمِّ والبِنْتِ

3282 ـ أَخْبَرَنَا وَهْبُ بْنُ بَيَانٍ قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ أَنَّ عُرْوَةَ بْنَ الزُّبَيْرِ حَدَّثَهُ عَنْ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ: أَنَّ أُمَّ حَبِيبَةَ زَوْجَ النَّبِيِّ ﷺ قَالَتْ: يَا رَسُولَ ٱللَّهِ أَنْكِحْ بِنْتَ أَبِي تَعْنِي أُخْتَهَا فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «وَتُحِبِّينَ ذٰلِكَ؟» قَالَتْ: نَعَمْ لَسْتُ لَكَ بِمُخْلِيَةٍ وَأَحَبُّ مَنْ شَرِكَتْنِي فِي خَيْرٍ أُخْتِي فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «إِنَّ ذٰلِكَ لاَ يَحِلُّ» قَالَتْ أُمُّ حَبِيبَةَ: يَا رَسُولَ ٱللَّهِ وَٱللَّهِ لَقَدْ تَحَدَّثْنَا أَنَّكَ تَنْكِحُ دُرَّةَ بِنْتَ أَبِي سَلَمَةَ فَقَالَ: «بِنْتُ أُمِّ سَلَمَةَ؟» قَالَتْ أُمُّ حَبِيبَةَ: نَعَمْ قَالَ رَسُولُ ٱللَّهِ ﷺ: «فَوَٱللَّهِ لَوْ أَنَّهَا لَمْ تَكُنْ رَبِيبَتِي فِي حِجْرِي مَا حَلَّتْ إِنَّهَا لابْنَةُ أَخِي

she would be unlawful for me to marry since she is my foster niece. Abu Salamah and I were suckled by Thuwaibah. So you should not offer to me your daughters or your sisters (in marriage)."

3283- It is narrated on the authority of Umm Habibah that she said to the Messenger of Allah "Allah's blessing and peace be upon him": " We have heard that you want to marry Durrah, daughter of Abu Salamah." the Messenger of Allah "Allah's blessing and peace be upon him" said: "Should I combine both her and (her mother) Um Salamah? Even had I not married Umm Salamah, she would have been unlawful for me, since her father is my foster-brother."

[46] It Is Prohibited To Combine Two Sisters In Wedlock

3284- It is narrated on the authority of Umm Habibah Bint Abu Sufyan that she said: "O Allah's Apostle! What do you see in my sister?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "See what?" She said: "Marry her." The Prophet "Allah's blessing and peace be upon him" said: "Do you like that?" She replied: "Yes, for even now I am not your only wife and I like most that my sister should share the good with me." The Prophet "Allah's blessing and peace be upon him" said: "But that is not lawful for me." She said: "I've been informed that you are going to betroth Durrah, daughter of Umm Salamah." He said: "(You mean) the daughter of Abu Salamah?" She said: "Yes." He said: "Even if she was not my step-daughter, she would be unlawful for me to marry since she is my foster niece. So offer not to me your daughters or your sisters (in marriage)."

[47] Combining A Woman And Her Paternal Aunt In Wedlock

3285- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "No woman should be combined in wedlock with her paternal aunt nor should a woman be combined in marriage with her maternal aunt."

3286- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade that a woman should be combined in wedlock with her paternal aunt or with her maternal aunt.

3287- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade that a woman be joined in marriage with her paternal aunt or with her maternal aunt.

3288- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade four

مِنَ الرَّضَاعَةِ أَرْضَعَتْنِي وَأَبَا سَلَمَةَ ثُوَيْبَةُ فَلاَ تَعْرِضْنَ عَلَيَّ بَنَاتِكُنَّ وَلاَ أَخَوَاتِكُنَّ».

3283 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ عِرَاكِ بْنِ مَالِكٍ أَنَّ زَيْنَبَ بِنْتَ أَبِي سَلَمَةَ أَخْبَرَتْهُ: أَنَّ أُمَّ حَبِيبَةَ قَالَتْ لِرَسُولِ اللَّهِ ﷺ: إِنَّا قَدْ تَحَدَّثْنَا أَنَّكَ نَاكِحٌ دُرَّةَ بِنْتَ أَبِي سَلَمَةَ فَقَالَ رَسُولُ اللَّهِ ﷺ: «أَعَلَى أُمِّ سَلَمَةَ؟ لَوْ أَنِّي لَمْ أَنْكِحْ أُمَّ سَلَمَةَ مَا حَلَّتْ لِي إِنَّ أَبَاهَا أَخِي مِنَ الرَّضَاعَةِ».

(46) ـ تَحْرِيمُ الجَمْعِ بين الأُخْتَيْنِ

3284 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ عَبْدَةَ عَنْ هِشَامٍ عَنْ أَبِيهِ عَنْ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ عَنْ أُمِّ حَبِيبَةَ: أَنَّهَا قَالَتْ: يَا رَسُولَ اللَّهِ هَلْ لَكَ فِي أُخْتِي قَالَ: «فَأَصْنَعُ مَاذَا؟» قَالَتْ: تَزَوَّجْهَا قَالَ: «فَإِنَّ ذٰلِكَ أَحَبُّ إِلَيْكَ؟» قَالَتْ: نَعَمْ لَسْتُ لَكَ بِمُخْلِيَةٍ وَأَحَبُّ مَنْ يَشْرَكُنِي فِي خَيْرٍ أُخْتِي قَالَ: «إِنَّهَا لاَ تَحِلُّ لِي» قَالَتْ: فَإِنَّهُ قَدْ بَلَغَنِي أَنَّكَ تَخْطُبُ دُرَّةَ بِنْتَ أُمِّ سَلَمَةَ قَالَ: «بِنْتُ أَبِي سَلَمَةَ؟» قَالَتْ: نَعَمْ قَالَ: «وَاللَّهِ لَوْ لَمْ تَكُنْ رَبِيبَتِي مَا حَلَّتْ لِي إِنَّهَا لابْنَةُ أَخِي مِنَ الرَّضَاعَةِ فَلاَ تَعْرِضْنَ عَلَيَّ بَنَاتِكُنَّ وَلاَ أَخَوَاتِكُنَّ».

(47) ـ الجَمْعُ بين المَرْأَةِ وعَمَّتِهَا

3285 ـ أَخْبَرَنِي هَارُونُ بْنُ عَبْدِ اللَّهِ قَالَ: حَدَّثَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ عَنْ أَبِي الزِّنَادِ عَنِ الأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لاَ يُجْمَعُ بَيْنَ الْمَرْأَةِ وَعَمَّتِهَا وَلاَ بَيْنَ الْمَرْأَةِ وَخَالَتِهَا».

3286 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ يَعْقُوبَ بْنِ عَبْدِ الْوَهَّابِ بْنِ يَحْيَى بْنِ عَبَّادِ بْنِ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ بْنِ الْعَوَّامِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ فُلَيْحٍ عَنْ يُونُسَ قَالَ ابْنُ شِهَابٍ: أَخْبَرَنِي قُبَيْصَةُ بْنُ ذُؤَيْبٍ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: «نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يُجْمَعَ بَيْنَ الْمَرْأَةِ وَعَمَّتِهَا وَالْمَرْأَةِ وَخَالَتِهَا».

3287 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا ابْنُ أَبِي مَرْيَمَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَيُّوبَ أَنَّ جَعْفَرَ بْنَ رَبِيعَةَ حَدَّثَهُ عَنْ عِرَاكِ بْنِ مَالِكٍ وَعَبْدِ الرَّحْمٰنِ الأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ اللَّهِ ﷺ: «أَنَّهُ نَهَى أَنْ تُنْكَحَ الْمَرْأَةُ عَلَى عَمَّتِهَا أَوْ خَالَتِهَا».

3288 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ عِرَاكِ بْنِ مَالِكٍ

types of women to be combined together in wedlock: a woman with her paternal aunt (and vice versa), and a woman with her maternal aunt (and vice versa).

3289- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "No woman should be joined in wedlock with her paternal aunt, nor should she be joined in marriage with her maternal aunt."

3290- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade that a woman be joined in marriage with her paternal aunt or with her maternal aunt.

3291- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "No woman should be joined in wedlock with her paternal aunt, nor should she be with her maternal aunt."

[48] The Prohibition Of Combining A Woman And Her Maternal Aunt In Wedlock

3292- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "No woman should be joined in wedlock with her paternal aunt, nor should she be with her maternal aunt."

3293- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade that a woman be joined in marriage with her paternal aunt or an aunt with her niece.

3294- It is narrated on the authority of Jabir from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "No woman should be joined in wedlock with her paternal aunt, nor should she be with her maternal aunt."

3295- It is narrated on the authority of Jabir Ibn Abdullah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade that a woman be joined in marriage with her paternal aunt or with her maternal aunt.

3296- It is narrated on the authority of Jabir that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade that a woman be joined in marriage with her paternal aunt or with her maternal aunt.

[49] What Is Prohibited By Suckling

3297- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Suckling prohibits what birth prohibits."

عَنْ أَبِي هُرَيْرَةَ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْ أَرْبَعِ نِسْوَةٍ يُجْمَعُ بَيْنَهُنَّ الْمَرْأَةِ وَعَمَّتِهَا وَالْمَرْأَةِ وَخَالَتِهَا».

3289 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ يُوسُفَ قَالَ: حَدَّثَنَا اللَّيْثُ قَالَ: أَخْبَرَنِي أَيُّوبُ بْنُ مُوسَى عَنْ بُكَيْرِ بْنِ عَبْدِ ٱللَّهِ بْنِ الأَشَجِّ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ عَنْ عَبْدِ الْمَلِكِ بْنِ يَسَارٍ عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ ٱللَّهِ ﷺ أَنَّهُ قَالَ: «لاَ تُنْكَحُ الْمَرْأَةُ عَلَى عَمَّتِهَا وَلاَ عَلَى خَالَتِهَا».

3290 ـ أَخْبَرَنَا مُجَاهِدُ بْنُ مُوسَى قَالَ: حَدَّثَنَا ٱبْنُ عُيَيْنَةَ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ أَبِي سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ أَنْ تُنْكَحَ الْمَرْأَةُ عَلَى عَمَّتِهَا أَوْ عَلَى خَالَتِهَا».

3291 ـ أَخْبَرَنَا يَحْيَى بْنُ دُرُسْتَ قَالَ: حَدَّثَنَا أَبُو إِسْمَاعِيلَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي كَثِيرٍ أَنَّ أَبَا سَلَمَةَ حَدَّثَهُ عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ ٱللَّهِ ﷺ أَنَّهُ قَالَ: «**لاَ تُنْكَحُ الْمَرْأَةُ عَلَى عَمَّتِهَا وَلاَ عَلَى خَالَتِهَا**».

(48) ـ تَحْرِيمُ الجَمْعِ بين المَرْأَةِ وخَالَتِها

3292 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا هِشَامٌ قَالَ: حَدَّثَنَا مُحَمَّدٌ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ تُنْكَحُ الْمَرْأَةُ عَلَى عَمَّتِهَا وَلاَ عَلَى خَالَتِهَا**».

3293 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا الْمُعْتَمِرُ عَنْ دَاوُدَ بْنِ أَبِي هِنْدٍ عَنِ الشَّعْبِيِّ عَنْ أَبِي هُرَيْرَةَ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ أَنْ تُنْكَحَ الْمَرْأَةُ عَلَى عَمَّتِهَا وَالْعَمَّةُ عَلَى بِنْتِ أَخِيهَا».

3294 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي عَاصِمٌ قَالَ: قَرَأْتُ عَلَى الشَّعْبِيِّ كِتَاباً فِيهِ عَنْ جَابِرٍ عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ تُنْكَحُ الْمَرْأَةُ عَلَى عَمَّتِهَا وَلاَ عَلَى خَالَتِهَا**» قَالَ: سَمِعْتُ هٰذَا مِنْ جَابِرٍ.

3295 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ آدَمَ عَنِ ٱبْنِ الْمُبَارَكِ عَنْ عَاصِمٍ عَنِ الشَّعْبِيِّ قَالَ: سَمِعْتُ جَابِرَ بْنَ عَبْدِ ٱللَّهِ يَقُولُ: «نَهَى رَسُولُ ٱللَّهِ ﷺ أَنْ تُنْكَحَ الْمَرْأَةُ عَلَى عَمَّتِهَا وَخَالَتِهَا».

3296 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ الْحَسَنِ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ أَنْ تُنْكَحَ الْمَرْأَةُ عَلَى عَمَّتِهَا أَوْ عَلَى خَالَتِهَا».

(49) ـ ما يَحْرُمُ مِنَ الرَّضَاعِ

3297 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: أَنْبَأَنَا مَالِكٌ قَالَ: حَدَّثَنِي عَبْدُ ٱللَّهِ بْنُ دِينَارٍ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**مَا حَرَّمَتْهُ الْوِلاَدَةُ حَرَّمَهُ الرَّضَاعُ**».

3298- It is narrated on the authority of A'ishah that her foster paternal uncle sought her permission to visit her, and she did not admit him, and when she told the Messenger of Allah "Allah's blessing and peace be upon him" about that he said: "Do not screen yourself from him, since suckling prohibits what is prohibited by blood-relation."

3299- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Suckling prohibits what blood-relation prohibits."

3300- It is narrated on the authority of A'ishah that she said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Suckling prohibits what birth prohibits."

[50] It Is Prohibited To Marry One's Foster Niece

3301- It is narrated on the authority of Ali that he said: I said: "O Messenger of Allah! Why do you incline to (marrying women from) the Quraish (people but other than Banu Hashim), and leave (the women of) us (sons of Hashim)?" he said: "Have you anyone (to nominate for me to marry)?" I said: "Yes, the daughter of Hamzah." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "She is unlawful for me (to marry), since she is the daughter of my foster brother."

3302- It is narrated on the authority of Ibn Abbas that he said: A mention was made to the Messenger of Allah "Allah's blessing and peace be upon him" of the daughter of Hamzah (to marry), thereupon he said: "She is (unlawful for me, since she is) the daughter of my foster brother."

3303- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" was asked to marry the daughter of Hamzah, thereupon he said: "She is (unlawful for me since she is) the daughter of my foster brother, and to be sure, suckling prohibits what blood-relation prohibits."

[51] The Amount Of Suckling Which Causes Prohibition

3304- It is narrated on the authority of Amrah from A'ishah that she said: From among what was revealed of The Qur'an, there was (a Verse saying) that "Ten clear sucklings should make (the marriage) unlawful." Then, it (the ten) was abrogated by "Five clear sucklings" and (the latter was also abrogated but a short time before the death of The Prophet to the extent that) The Prophet "Allah's blessing and peace be upon him" died, and it was still recited in The Qur'an (by some people who had not yet been informed of its abrogation, though its judgement was not cancelled).

3298 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ عِرَاكٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ: أَنَّهَا أَخْبَرَتْهُ أَنَّ عَمَّهَا مِنَ الرَّضَاعَةِ يُسَمَّى: أَفْلَحَ ٱسْتَأْذَنَ عَلَيْهَا فَحَجَبَتْهُ، فَأُخْبِرَ رَسُولُ ٱللَّهِ ﷺ فَقَالَ: «**لاَ تَحْتَجِبِي مِنْهُ فَإِنَّهُ يَحْرُمُ مِنَ الرَّضَاعِ مَا يَحْرُمُ مِنَ النَّسَبِ**».

3299 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ مَالِكٍ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي بَكْرٍ عَنْ عَمْرَةَ عَنْ عَائِشَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**يَحْرُمُ مِنَ الرَّضَاعِ مَا يَحْرُمُ مِنَ النَّسَبِ**».

3300 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ هَاشِمٍ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي بَكْرٍ عَنْ أَبِيهِ عَنْ عَمْرَةَ قَالَتْ: سَمِعْتُ عَائِشَةَ تَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**يَحْرُمُ مِنَ الرَّضَاعِ مَا يَحْرُمُ مِنَ الْوِلاَدَةِ**».

(50) ـ تَحْرِيمُ بِنْتِ الأَخِ مِنَ الرَّضَاعَةِ

3301 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ أَبِي مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ سَعْدِ بْنِ عُبَيْدَةَ عَنْ أَبِي عَبْدِ الرَّحْمٰنِ السُّلَمِيِّ عَنْ عَلِيٍّ رَضِيَ ٱللَّهُ عَنْهُ قَالَ: قُلْتُ يَا رَسُولَ ٱللَّهِ مَا لَكَ تَنَوَّقُ فِي قُرَيْشٍ وَتَدَعُنَا؟ قَالَ: «**وَعِنْدَكَ أَحَدٌ؟**» قُلْتُ: نَعَمْ بِنْتُ حَمْزَةَ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**إِنَّهَا لاَ تَحِلُّ لِي إِنَّهَا ٱبْنَةُ أَخِي مِنَ الرَّضَاعَةِ**».

3302 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ شُعْبَةَ عَنْ قَتَادَةَ عَنْ جَابِرِ بْنِ زَيْدٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: ذُكِرَ لِرَسُولِ ٱللَّهِ ﷺ بِنْتُ حَمْزَةَ فَقَالَ: «**إِنَّهَا ٱبْنَةُ أَخِي مِنَ الرَّضَاعَةِ**». قَالَ شُعْبَةُ هٰذَا سَمِعَهُ قَتَادَةُ مِنْ جَابِرِ بْنِ زَيْدٍ.

3303 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ الصَّبَّاحِ بْنِ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَوَاءٍ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ عَنْ جَابِرِ بْنِ زَيْدٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ أُرِيدَ عَلَى بِنْتِ حَمْزَةَ فَقَالَ: «**إِنَّهَا ٱبْنَةُ أَخِي مِنَ الرَّضَاعَةِ وَإِنَّهُ يَحْرُمُ مِنَ الرَّضَاعِ مَا يَحْرُمُ مِنَ النَّسَبِ**».

(51) ـ القَدْرُ الَّذِي يَحْرُمُ مِنَ الرَّضَاعَةِ

3304 ـ أَخْبَرَنِي هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي بَكْرٍ عَنْ عَمْرَةَ عَنْ عَائِشَةَ قَالَتْ: كَانَ فِيمَا أَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ وَقَالَ الْحَارِثُ: فِيمَا أُنْزِلَ مِنَ الْقُرْآنِ عَشْرُ رَضَعَاتٍ مَعْلُومَاتٍ يُحَرِّمْنَ ثُمَّ نُسِخْنَ بِخَمْسٍ مَعْلُومَاتٍ فَتُوُفِّيَ رَسُولُ ٱللَّهِ ﷺ وَهِيَ مِمَّا يُقْرَأُ مِنَ الْقُرْآنِ.

3305- It is narrated on the authority of Umm Al-Fadl that she said: the Messenger of Allah "Allah's blessing and peace be upon him" was asked about suckling, thereupon he said: "A suck or two never leads to prohibition (for the suckling which prohibits should come to satisfy the hunger)."

3306- It is narrated on the authority of Abdullah Ibn Az-Zubair that the Messenger of Allah "Allah's blessing and peace be upon him" said: "A suck or two never leads to prohibition (for the suckling which prohibits should come to satisfy the hunger)."

3307- It is narrated on the authority of Abdullah Ibn Az-Zubair from A'ishah that she said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "A suck or two never leads to prohibition (for the suckling which prohibits should come to satisfy the hunger)."

3308- It is narrated on the authority of Qatadah that he said: We sent a letter to Ibrahim Ibn Yazid An-Nakh'i, asking him about suckling, thereupon he replied: Shuraih reported to us that both Ali and Ibn Mas'ud said: "Suckling causes prohibition, be it much or little (in quantity)." In his book, it is narrated on the authority of Abu Ash-Sha'tha' Al-Muharibi from A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "A suck or two snatched swiftly (from the breast) causes no prohibition (for the suckling which prohibits should come to satisfy the hunger)."

3309- It is narrated on the authority of A'ishah that she said: the Messenger of Allah "Allah's blessing and peace be upon him" entered into me, and there was a man sitting in the house, thereupon he felt it, and I saw the (signs of) anger in his face. I said to him: "O Messenger of Allah! He is my foster brother." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Consider who your foster brothers are! Indeed, the suckling (which prohibits what the blood relation prohibits) is that which is given to satisfy one's hunger" (and this requires, according to the religious scholars, that one should be no more than two-year-old babe).

[52] The Foster Male

3310- It is narrated on the authority of A'ishah that once, the Messenger of Allah "Allah's blessing and peace be upon him" was in her house when she heard a man asking permission to be admitted to Hafsah's house. A'ishah said: I said: "O Messenger of Allah! A man asks permission to be admitted to your house." the Messenger of Allah "Allah's blessing and peace be upon him" said: "I see he is so and so, Hafsah's foster paternal uncle." A'ishah said: I asked him: "Had so and so, my foster paternal uncle, been living, would he have been able to visit me?" on that the Messenger of Allah

3305 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ الصَّبَّاحِ بْنِ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَوَاءٍ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ وَأَيُّوبُ عَنْ صَالِحٍ أَبِي الْخَلِيلِ عَنْ عَبْدِ ٱللَّهِ بْنِ الْحَارِثِ بْنِ نَوْفَلٍ عَنْ أُمِّ الْفَضْلِ: أَنَّ نَبِيَّ ٱللَّهِ ﷺ سُئِلَ عَنِ الرَّضَاعِ فَقَالَ: **«لاَ تُحَرِّمُ الإِمْلاَجَةُ وَلاَ الإِمْلاَجَتَانِ»**. وَقَالَ قَتَادَةُ: **«الْمَصَّةُ وَالْمَصَّتَانِ»**.

3306 ـ أَخْبَرَنَا شُعَيْبُ بْنُ يُوسُفَ عَنْ يَحْيَى عَنْ هِشَامٍ قَالَ: حَدَّثَنِي أَبِي عَنْ عَبْدِ ٱللَّهِ بْنِ الزُّبَيْرِ عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ تُحَرِّمُ الْمَصَّةُ وَالْمَصَّتَانِ»**.

3307 ـ أَخْبَرَنَا زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا ٱبْنُ عُلَيَّةَ عَنْ أَيُّوبَ عَنِ ٱبْنِ أَبِي مُلَيْكَةَ عَنْ عَبْدِ ٱللَّهِ بْنِ الزُّبَيْرِ عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ تُحَرِّمُ الْمَصَّةُ وَالْمَصَّتَانِ»**.

3308 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا يَزِيدُ يَعْنِي ٱبْنَ زُرَيْعٍ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ قَالَ: كَتَبْنَا إِلَى إِبْرَاهِيمَ بْنِ يَزِيدَ النَّخَعِيِّ نَسْأَلُهُ عَنِ الرَّضَاعِ فَكَتَبَ أَنَّ شُرَيْحاً حَدَّثَنَا. أَنَّ عَلِيّاً وَٱبْنَ مَسْعُودٍ كَانَا يَقُولاَنِ يَحْرُمُ مِنَ الرَّضَاعِ قَلِيلُهُ وَكَثِيرُهُ. وَكَانَ فِي كِتَابِهِ أَنَّ أَبَا الشَّعْثَاءِ الْمُحَارِبِيَّ حَدَّثَنَا أَنَّ عَائِشَةَ حَدَّثَتْهُ أَنَّ نَبِيَّ ٱللَّهِ ﷺ كَانَ يَقُولُ: **«لاَ تُحَرِّمُ الْخَطْفَةُ وَالْخَطْفَتَانِ»**.

3309 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ فِي حَدِيثِهِ عَنْ أَبِي الأَحْوَصِ عَنْ أَشْعَثَ بْنِ أَبِي الشَّعْثَاءِ عَنْ أَبِيهِ عَنْ مَسْرُوقٍ قَالَ: قَالَتْ عَائِشَةُ: دَخَلَ عَلَيَّ رَسُولُ ٱللَّهِ ﷺ وَعِنْدِي رَجُلٌ قَاعِدٌ فَاشْتَدَّ ذٰلِكَ عَلَيْهِ وَرَأَيْتُ الْغَضَبَ فِي وَجْهِهِ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ إِنَّهُ أَخِي مِنَ الرَّضَاعَةِ فَقَالَ: **«ٱنْظُرْنَ مَا إِخْوَانُكُنَّ»** وَمَرَّةً أُخْرَى **«ٱنْظُرْنَ مَنْ إِخْوَانُكُنَّ مِنَ الرَّضَاعَةِ فَإِنَّ الرَّضَاعَةَ مِنَ الْمَجَاعَةِ»**.

(52) ـ لَبَنُ الفَحْلِ

3310 ـ أَخْبَرَنَا هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي بَكْرٍ عَنْ عَمْرَةَ أَنَّ عَائِشَةَ أَخْبَرَتْهَا: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ عِنْدَهَا وَأَنَّهَا سَمِعَتْ رَجُلاً يَسْتَأْذِنُ فِي بَيْتِ حَفْصَةَ قَالَتْ عَائِشَةُ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ هٰذَا رَجُلٌ يَسْتَأْذِنُ فِي بَيْتِكَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُرَاهُ فُلاَناً»** لِعَمِّ حَفْصَةَ مِنَ الرَّضَاعَةِ. قَالَتْ عَائِشَةُ: فَقُلْتُ: لَوْ كَانَ فُلاَنٌ حَيّاً لِعَمِّهَا مِنَ الرَّضَاعَةِ دَخَلَ عَلَيَّ

"Allah's blessing and peace be upon him" said: "No doubt, Suckling prohibits what birth prohibits."

3311- It is narrated on the authority of A'ishah that she said: My foster paternal uncle Abu Al-Ja'd (or Abu Al-Qu'ais according to Hisham) came to visit me, and I returned him. When the Messenger of Allah "Allah's blessing and peace be upon him" came, I told him, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Admit him."

3312- It is narrated on the authority of A'ishah that the brother of Abu Al-Qu'ais sought permission to visit her, and this was after the Holy Verse of veiling was revealed, and she did not admit him. When a mention of that was made to the Messenger of Allah "Allah's blessing and peace be upon him" he said: "Admit him, since he is your (foster) paternal uncle." I said: "Indeed, it is the woman and not the man who has given me suck." He said: "He is your (foster) paternal uncle. So, allow him to visit you."

3313- It is narrated on the authority of A'ishah that she said: Aflah, the brother of Abu Al-Qu'ais, my foster-paternal uncle, sought my permission to visit me, and I did not admit him until the Messenger of Allah "Allah's blessing and peace be upon him" came to visit me, and I told him of that, thereupon he said: "Admit him, for he is your foster-paternal uncle!" A'ishah said: This was after the Holy Verse of veiling had been revealed.

3314- It is narrated on the authority of A'ishah that she said: My foster-uncle Aflah Ibn Abu Qu'ais came to me, and asked my permission to be admitted after veiling had been practiced, and I did not give him permission until the Messenger of Allah "Allah's blessing and peace be upon him" came to visit me, and I asked him about that, thereupon he said: "Admit him for he is your foster-paternal uncle!" I said: "But it is the woman (i.e. the wife of his brother) and not the man that gave suck to me." He said: "Admit him, let your right hand be covered with dust! He is your foster-uncle."

3315- It is narrated on the authority of A'ishah that she said: Aflah, the brother of Abu Al-Qu'ais, asked my permission to visit me and I said: "I will not admit him unless I take permission of The Prophet "Allah's blessing and peace be upon him" for him." When The Messenger of Allah "Allah's blessing and peace be upon him" entered upon me, I said : "O Allah's Apostle! Aflah, the brother of Abu Al-Qu'ais asked permission to visit me but I refused to admit him." The Prophet "Allah's blessing and peace be upon him" said: "Admit him, since he is your (foster) paternal uncle." I said: "It is the wife of Abu Al-Qu'ais, and not the man, who gave suck to me." He said: "Admit him, for he is your (foster) paternal uncle."

فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «إِنَّ الرَّضَاعَةَ تُحَرِّمُ مَا يُحَرِّمُ مِنَ الْوِلاَدَةِ».

3311 ـ أَخْبَرَنِي إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي عَطَاءٌ عَنْ عُرْوَةَ أَنَّ عَائِشَةَ قَالَتْ: جَاءَ عَمِّي أَبُو الْجَعْدِ مِنَ الرَّضَاعَةِ فَرَدَدْتُهُ قَالَ: وَقَالَ هِشَامٌ: هُوَ أَبُو الْقُعَيْسِ فَجَاءَ رَسُولُ ٱللَّهِ ﷺ فَأَخْبَرْتُهُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «ٱئْذَنِي لَهُ».

3312 ـ أَخْبَرَنَا عَبْدُ الْوَارِثِ بْنُ عَبْدِ الصَّمَدِ بْنِ عَبْدِ الْوَارِثِ قَالَ: حَدَّثَنِي أَبِي عَنْ أَيُّوبَ عَنْ وَهْبِ بْنِ كَيْسَانَ عَنْ عُرْوَةَ عَنْ عَائِشَةَ: أَنَّ أَخَا أَبِي الْقُعَيْسِ ٱسْتَأْذَنَ عَلَى عَائِشَةَ بَعْدَ آيَةِ الْحِجَابِ فَأَبَتْ أَنْ تَأْذَنَ لَهُ فَذُكِرَ ذٰلِكَ لِلنَّبِيِّ ﷺ فَقَالَ: «ٱئْذَنِي لَهُ فَإِنَّهُ عَمُّكِ» فَقُلْتُ: إِنَّمَا أَرْضَعَتْنِي الْمَرْأَةُ وَلَم يُرْضِعْنِي الرَّجُلُ فَقَالَ: «إِنَّهُ عَمُّكِ فَلْيَلِجْ عَلَيْكِ».

3313 ـ أَخْبَرَنَا هَارُونُ بْنُ عَبْدِ ٱللَّهِ أَنْبَأَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ عَنِ ٱبْنِ شِهَابٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: كَانَ أَفْلَحُ أَخُو أَبِي الْقُعَيْسِ يَسْتَأْذِنُ عَلَيَّ وَهُوَ عَمِّي مِنَ الرَّضَاعَةِ فَأَبَيْتُ أَنْ آذَنَ لَهُ حَتَّى جَاءَ رَسُولُ ٱللَّهِ ﷺ فَأَخْبَرْتُهُ فَقَالَ: «ٱئْذَنِي لَهُ فَإِنَّهُ عَمُّكِ» قَالَتْ عَائِشَةُ: وَذٰلِكَ بَعْدَ أَنْ نَزَلَ الْحِجَابُ.

3314 ـ أَخْبَرَنَا عَبْدُ الْجَبَّارِ بْنُ الْعَلاَءِ عَنْ سُفْيَانَ عَنِ الزُّهْرِيِّ وَهِشَامِ بْنِ عُرْوَةَ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: ٱسْتَأْذَنَ عَلَيَّ عَمِّي أَفْلَحُ بَعْدَمَا نَزَلَ الْحِجَابُ فَلَمْ آذَنْ لَهُ فَأَتَانِي النَّبِيُّ ﷺ فَسَأَلْتُهُ فَقَالَ: «ٱئْذَنِي لَهُ فَإِنَّهُ عَمُّكِ» قُلْتُ: يَا رَسُولَ ٱللَّهِ إِنَّمَا أَرْضَعَتْنِي الْمَرْأَةُ وَلَمْ يُرْضِعْنِي الرَّجُلُ قَالَ: «ٱئْذَنِي لَهُ تَرِبَتْ يَمِينُكِ فَإِنَّهُ عَمُّكِ».

3315 ـ أَخْبَرَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ بْنِ دَاوُدَ قَالَ: حَدَّثَنَا أَبُو الأَسْوَدِ وَإِسْحَاقُ بْنُ بَكْرٍ قَالاَ: حَدَّثَنَا بَكْرُ بْنُ مُضَرَ عَنْ جَعْفَرِ بْنِ رَبِيعَةَ عَنْ عِرَاكِ بْنِ مَالِكٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: جَاءَ أَفْلَحُ أَخُو أَبِي الْقُعَيْسِ يَسْتَأْذِنُ فَقُلْتُ: لاَ آذَنُ لَهُ حَتَّى أَسْتَأْذِنَ نَبِيَّ ٱللَّهِ ﷺ فَلَمَّا جَاءَ نَبِيُّ ٱللَّهِ ﷺ قُلْتُ لَهُ: جَاءَ أَفْلَحُ أَخُو أَبِي الْقُعَيْسِ يَسْتَأْذِنُ فَأَبَيْتُ أَنْ آذَنَ لَهُ فَقَالَ: «ٱئْذَنِي لَهُ فَإِنَّهُ عَمُّكِ» قُلْتُ: إِنَّمَا أَرْضَعَتْنِي ٱمْرَأَةُ أَبِي الْقُعَيْسِ وَلَمْ يُرْضِعْنِي الرَّجُلُ قَالَ: «ٱئْذَنِي لَهُ فَإِنَّهُ عَمُّكِ».

[53] The Suckling Of A Young Man

3316- It is narrated on the authority of A'ishah that she said: Sahlah, daughter of Suhail came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I observe on the face of Abu Hudhaifah (my husband) some (traces of) disgust because of Salim's entering upon me." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Give suck to him." She said: "O Messenger of Allah! (How should I give suck to him and he is a young man and) has got a beard?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Give suck to him so that (he would be unlawful for you to marry and thus) the (signs of) disgust on the face of Abu Hudhaifah would vanish." Then, she (gave suck to him, and) said: "By Allah! Afterwards, I've no longer seen on the face of Abu Hudhaifah (any traces of) disgust."

3317- It is narrated on the authority of A'ishah that she said: Sahlah, daughter of Suhail came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I observe on the face of Abu Hudhaifah (my husband) some (traces of) disgust because of Salim's entering upon me." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Give suck to him." She said: "O Messenger of Allah! How should I give suck to him and he is a young man?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do I not know that he is a young man? (Give suck to him)." Then, she (gave suck to him, and) came (to the Messenger of Allah) and said: "By Him, Who has sent you as a Prophet! Afterwards, I've no longer seen on the face of Abu Hudhaifah (any traces of) what I dislike."

3318- It is narrated on the authority of A'ishah that she said: the Messenger of Allah "Allah's blessing and peace be upon him" ordered the wife of Abu Hudhaifah to give suck to Salim, the freed slave of Abu Hudhaifah, so that the jealousy of Abu Hudhaifah would be over. She gave suck to him, even though he was a young man. Rabie'ah said: This (judgement) was a concession given to Salim (in particular).

3319- It is narrated on the authority of A'ishah that she said: Sahlah, daughter of Suhail came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Salim enters upon us, even though he has (grown up and come to) understand and know such things (of women) as men do." He said: "Give suck to him, so that you would be unlawful for him (to marry since you would be his foster mother)." He (Ibn Abu Mulaikah) said: I did not relate this narration to anyone for a

(53) ـ بَابُ رَضَاعِ الكَبِيرِ

3316 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي مَخْرَمَةُ بْنُ بُكَيْرٍ عَنْ أَبِيهِ قَالَ: سَمِعْتُ حُمَيْدَ بْنَ نَافِعٍ يَقُولُ: سَمِعْتُ زَيْنَبَ بِنْتَ أَبِي سَلَمَةَ تَقُولُ: سَمِعْتُ عَائِشَةَ زَوْجَ النَّبِيِّ ﷺ تَقُولُ: جَاءَتْ سَهْلَةُ بِنْتُ سُهَيْلٍ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إِنِّي لأَرَى فِي وَجْهِ أَبِي حُذَيْفَةَ مِنْ دُخُولِ سَالِمٍ عَلَيَّ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**أَرْضِعِيهِ**» قُلْتُ: إِنَّهُ لَذُو لِحْيَةٍ فَقَالَ: «**أَرْضِعِيهِ يَذْهَبْ مَا فِي وَجْهِ أَبِي حُذَيْفَةَ**» قَالَتْ: وَٱللَّهِ مَا عَرَفْتُهُ فِي وَجْهِ أَبِي حُذَيْفَةَ بَعْدُ.

3317 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: سَمِعْنَاهُ مِنْ عَبْدِ الرَّحْمٰنِ وَهُوَ ٱبْنُ الْقَاسِمِ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: جَاءَتْ سُهْلَةُ بِنْتُ سُهَيْلٍ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَتْ: إِنِّي أَرى فِي وَجْهِ أَبِي حُذَيْفَةَ مِنْ دُخُولِ سَالِمٍ عَلَيَّ قَالَ: «**فَأَرْضِعِيهِ**» قَالَتْ: وَكَيْفَ أُرْضِعُهُ وَهُوَ رَجُلٌ كَبِيرٌ؟ فَقَالَ: «**أَلَسْتُ أَعْلَمُ أَنَّهُ رَجُلٌ كَبِيرٌ؟**» ثُمَّ جَاءَتْ بَعْدُ فَقَالَتْ: وَالَّذِي بَعَثَكَ بِالْحَقِّ نَبِيًّا مَا رَأَيْتُ فِي وَجْهِ أَبِي حُذَيْفَةَ بَعْدُ شَيْئاً أَكْرَهُ.

3318 ـ أَخْبَرَنَا أَحْمَدُ بْنُ يَحْيَى أَبُو الْوَزِيرِ قَالَ: سَمِعْتُ ٱبْنَ وَهْبٍ قَالَ: أَخْبَرَنِي سُلَيْمَانُ عَنْ يَحْيَى وَرَبِيعَةُ عَنِ الْقَاسِمِ عَنْ عَائِشَةَ قَالَتْ: أَمَرَ النَّبِيُّ ﷺ ٱمْرَأَةَ أَبِي حُذَيْفَةَ أَنْ تُرْضِعَ سَالِماً مَوْلَى أَبِي حُذَيْفَةَ حَتَّى تَذْهَبَ غَيْرَةُ أَبِي حُذَيْفَةَ فَأَرْضَعَتْهُ وَهُوَ رَجُلٌ قَالَ رَبِيعَةُ: فَكَانَتْ رُخْصَةً لِسَالِمٍ.

3319 ـ أَخْبَرَنَا حُمَيْدُ بْنُ مَسْعَدَةَ عَنْ سُفْيَانَ وَهُوَ ٱبْنُ حَبِيبٍ عَنِ ٱبْنِ جُرَيْجٍ عَنِ ٱبْنِ أَبِي مُلَيْكَةَ عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ عَنْ عَائِشَةَ قَالَتْ: جَاءَتْ سَهْلَةُ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إِنَّ سَالِماً يَدْخُلُ عَلَيْنَا وَقَدْ عَقَلَ مَا يَعْقِلُ الرِّجَالُ وَعَلِمَ مَا يَعْلَمُ الرِّجَالُ قَالَ: «**أَرْضِعِيهِ تَحْرُمِي عَلَيْهِ بِذٰلِكَ**».

year until I met Al-Qasim, who said to me: "Relate it (to whomever you like) and fear not because of that."

3320- It is narrated on the authority of A'ishah that Salim, the freed slave of Abu Hudhaifah lived with them in the same house. Sahlah, daughter of Suhail came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "Salim has grown up and attained the age of puberty like men, and come to understand such things (of women) as they do; and he is accustomed to enter upon us, and I think Abu Hudhaifah has some (traces of) disgust because of that." the Messenger of Allah "Allah's blessing and peace be upon him" said: "Give suck to him, so that you would be unlawful for him (to marry since you would be his foster mother)." (She said): I gave suck to him, and thus the (signs of) disgust, which Abu Hudhaifah had disappeared. I returned to him (the Prophet) and said: " I gave suck to him, and thus the (signs of) disgust which Abu Hudhaifah had disappeared."

3321- It is narrated on the authority of Urwah that he said: All the wives of the Messenger of Allah "Allah's blessing and peace be upon him" refused to admit anyone depending only upon (the judgement of) this kind of suckling, i.e. the suckling of the young man, and they said to A'ishah: "By Allah! We do not see but that the act which the Messenger of Allah "Allah's blessing and peace be upon him" ordered Sahlah Bint Suhail to do was just a concession given by the Messenger of Allah "Allah's blessing and peace be upon him" to suckle Salim in particular. By Allah! None will (be allowed to) enter upon us or see us depending upon this kind of suckling."

3322- It is narrated on the authority of Umm Salamah, that she said: All the wives of the Messenger of Allah "Allah's blessing and peace be upon him" refused that anyone should be admitted to them depending only upon (the judgement of) this kind of suckling, (i.e. the suckling of the young man), and they said to A'ishah: "By Allah! We do not see but that this (judgement) was a concession given by the Messenger of Allah "Allah's blessing and peace be upon him" to Salim in particular. By Allah! None will (be allowed to) enter upon us or see us depending upon this kind of suckling."

(The public of religious scholars and learnt men, their former and latter, in the earlier and the later times, unanimously agree on the fact that this is a uniquely special commandment, particular only to this case in issue, for the suckling which forbids what is forbidden by the blood relation should be given to a babe of no more than two years; and if the child became over two years, suckling becomes of no effect in that respect. . It is well-known that adoption was practiced by the Arabs, as well as by others; and it remained in effect among the Arabs for a long time until it was abrogated by Allah in the

فَمَكَثْتُ حَوْلاً لاَ أُحَدِّثُ بِهِ وَلَقِيتُ الْقَاسِمَ فَقَالَ: حَدِّثْ بِهِ وَلاَ تَهَابُهُ.

3320 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ عَنْ عَبْدِ الْوَهَّابِ قَالَ: أَنْبَأَنَا أَيُّوبُ عَنِ ٱبْنِ أَبِي مُلَيْكَةَ عَنِ الْقَاسِمِ عَنْ عَائِشَةَ: أَنَّ سَالِماً مَوْلَى أَبِي حُذَيْفَةَ كَانَ مَعَ أَبِي حُذَيْفَةَ وَأَهْلِهِ فِي بَيْتِهِمْ فَأَتَتْ بِنْتُ سُهَيْلٍ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: إِنَّ سَالِماً قَدْ بَلَغَ مَا يَبْلُغُ الرِّجَالُ وَعَقَلَ مَا عَقَلُوهُ وَإِنَّهُ يَدْخُلُ عَلَيْنَا وَإِنِّي أَظُنُّ فِي نَفْسِ أَبِي حُذَيْفَةَ مِنْ ذٰلِكَ شَيْئاً فَقَالَ النَّبِيُّ ﷺ: «**أَرْضِعِيهِ تَحْرُمِي عَلَيْهِ**» فَأَرْضَعَتْهُ فَذَهَبَ الَّذِي فِي نَفْسِ أَبِي حُذَيْفَةَ فَرَجَعْتُ إِلَيْهِ فَقُلْتُ: إِنِّي قَدْ أَرْضَعْتُهُ فَذَهَبَ الَّذِي فِي نَفْسِ أَبِي حُذَيْفَةَ.

3321 ـ أَخْبَرَنَا يُونُسُ بنُ عَبْدِ الأَعْلَى قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ وَمَالِكٌ عَنِ ٱبْنِ شِهَابٍ عَنْ عُرْوَةَ قَالَ: أَبَى سَائِرُ أَزْوَاجِ النَّبِيِّ ﷺ أَنْ يَدْخُلَ عَلَيْهِنَّ بِتِلْكَ الرَّضْعَةِ أَحَدٌ مِنَ النَّاسِ يُرِيدُ رِضَاعَةَ الْكَبِيرِ وَقُلْنَ لِعَائِشَةَ وَٱللَّهِ مَا نُرَى الَّذِي أَمَرَ رَسُولُ ٱللَّهِ ﷺ سَهْلَةَ بِنْتَ سُهَيْلٍ إِلاَّ رُخْصَةً فِي رَضَاعَةِ سَالِمٍ وَحْدَهُ مِنْ رَسُولِ ٱللَّهِ ﷺ وَٱللَّهُ لاَ يَدْخُلُ عَلَيْنَا أَحَدٌ بِهٰذِهِ الرَّضْعَةِ وَلاَ يَرَانَا.

3322 ـ أَخْبَرَنَا عَبْدُ الْمَلِكِ بْنُ شُعَيْبِ بْنِ ٱللَّيْثِ قَالَ: أَخْبَرَنِي أَبِي عَنْ جَدِّي قَالَ: حَدَّثَنِي عُقَيْلٌ عَنِ ٱبْنِ شِهَابٍ أَخْبَرَنِي أَبُو عُبَيْدَةَ بْنُ عَبْدِ ٱللَّهِ بْنِ زَمْعَةَ أَنَّ أُمَّهُ زَيْنَبَ بِنْتَ أَبِي سَلَمَةَ أَخْبَرَتْهُ أَنَّ أُمَّهَا أُمَّ سَلَمَةَ

Qur'an. The Messenger of Allah "Allah's blessing and peace be upon him" himself adopted Zaid Ibn Harithah before his Prophetic Mission, and called him Zaid Ibn Muhammad. Salim also was adopted by Abu Hudhaifah. But when it was revealed: "nor has He made your adopted sons your sons. Such is (only) your (manner of) speech by your mouths. But Allah tells (you) the Truth, and He shows the (right) Way: Call them by (the names of) their fathers: that is juster in the sight of Allah. But if you know not their father's (names, call them) your Brothers in Faith, or your Mawlas. But there is no blame on you if you make a mistake therein: (what counts is) the intention of your hearts: and Allah is Oft-Forgiving, Most Merciful" (Al-Ahzab 4:5) this habit was abrogated. Before abrogating the adoption, Salim lived in the same residence of Abu Hudhaifah, and thus he used to come in and out of the house whenever he liked. According to adoption, it was lawful for him to enter upon Sahlah, as a son enters upon his mother. But when this was abrogated, it became unlawful for him to see her except in the way a strange one would see her. Abu Hudhaifah was disturbed by that, and he was not to accept that a strange one should see his wife; and this was why the traces of disgust were visible on his face. And, since it was much more difficult upon Salim to get an independent residence, the Messenger of Allah "Allah's blessing and peace be upon him" commanded her to give suck to him in order to become unlawful for him to marry, even though lawful for him to see, as it is lawful for a foster-son to see his mother. But, how could she give suck to him and he is a young man? How could she show her breast to him, and he became strange to her, and it was unlawful for him to see anything from her? The solution is very simple: let her get milk from her breast into a cup, and give it to him. But, as well as the adoption has been abrogated, this commandment should, by no means, be put to practice under any circumstances.)

[54] Having sexual relation with one's suckling wife

3323- It is narrated on the authority of A'ishah that Judamah Bint Wahb told her that the Messenger of Allah "Allah's blessing and peace be upon him" said: "I was about to forbid having sexual relation with one's suckling wife until I was informed that both the Persians and the Romans do it, and it causes no harm to their children."

[55] The coitus interruptus

3324- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: A mention of this (coitus interruptus) was made to the Messenger of Allah "Allah's blessing and peace be upon him" thereupon he asked: "What is the significance of that?" We said: "It is that a man might have a wife, with whom he has sexual relation, even though he dislikes to get her pregnant;

زَوْجَ النَّبِيِّ ﷺ كَانَتْ تَقُولُ: أَبَى سَائِرُ أَزْوَاجِ النَّبِيِّ ﷺ أَنْ يُدْخَلَ عَلَيْهِنَّ بِتِلْكَ الرَّضَاعَةِ وَقُلْنَ لِعَائِشَةَ وَٱللَّهِ مَا نُرَى هٰذِهِ إلاَّ رُخْصَةً رَخَّصَهَا رَسُولُ ٱللَّهِ ﷺ خَاصَّةً لِسَالِمٍ فَلاَ يَدْخُلْ عَلَيْنَا أَحَدٌ بِهٰذِهِ الرَّضَاعَةِ وَلاَ يَرَانَا.

(54) ـ الغِيلَةُ

3323 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ وَإِسْحَاقُ بْنُ مَنْصُورٍ عَنْ عَبْدِ الرَّحْمٰنِ عَنْ مَالِكٍ عَنْ أَبِي الأَسْوَدِ عَنْ عُرْوَةَ عَنْ عَائِشَةَ أَنَّ جُذَامَةَ بِنْتَ وَهْبٍ حَدَّثَتْهَا أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**لَقَدْ هَمَمْتُ أَنْ أَنْهَى عَنِ الْغِيْلَةِ حَتَّى ذَكَرْتُ أَنَّ فَارِسَ وَالرُّومَ يَصْنَعُهُ**». وَقَالَ إِسْحَاقُ: يَصْنَعُونَهُ فَلاَ يَضُرُّ أَوْلاَدَهُمْ.

(55) ـ بابُ العَزْلِ

3324 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ وَحُمَيْدُ بْنُ مَسْعَدَةَ قَالاَ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا ٱبْنُ عَوْنٍ عَنْ مُحَمَّدِ بْنِ سِيرِينَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ بِشْرِ بْنِ مَسْعُودٍ وَرَدَّ الحَدِيثَ حَتَّى رَدَّهُ إِلَى أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ: ذُكِرَ ذٰلِكَ عِنْدَ رَسُولِ ٱللَّهِ ﷺ قَالَ: «**وَمَا ذَاكُمْ؟**» قُلْنَا: الرَّجُلُ تَكُونُ لَهُ الْمَرْأَةُ فَيُصِيبُهَا وَيَكْرَهُ الْحَمْلَ وَتَكُونُ

and a man might have a slave-girl, with whom he has sexual relation even though he dislikes to get her pregnant from him." On that he said: "It is of no harm to you not to do so, since this ultimately depends upon the preordained Divine Decree."

3325-It is narrated on the authority of Abu Sa'id Az-Zuraqi that a man asked the Messenger of Allah "Allah's blessing and peace be upon him" about the coitus interruptus saying: "My wife is suckling, and I dislike to have her pregnant." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "What is doomed to be in the womb would inevitably be."

[56] The Right And Sanctity Of Suckling

3326-It is narrated on the authority of Hajjaj Ibn Hajjaj from his father that he said: I said: "O Messenger of Allah! Which thing could cancel out the right of suckling due upon me?" he said: "A slave or a slave-girl (to give as a reward to your suckling woman, who served you when you were a babe)."

[57] The Witness Pertaining To Suckling

3327-It is narrated on the authority of Uqbah Ibn Al-Harith that he said: I married a woman and then a black lady came to us and said: "I suckled you both." So I came to The Prophet "Allah's blessing and peace be upon him" and said: "I married so-and-so, the daughter of so-and-so, and then a black lady came to us and said to me: "I suckled both of you."." The Prophet "Allah's blessing and peace be upon him" turned his face away from me. But I moved to be in his face, and said: " But I think she is a liar." The Prophet "Allah's blessing and peace be upon him" said: "How (can you keep her) since that lady said that she had suckled both of you? So divorce her."

[58] Marrying Such As Fathers Married

3328-It is narrated on the authority of Al-Bara Ibn Azib that he said: I met My maternal uncle carrying the flag (of leadership). I asked him: "Where are you going?" he said: "The Messenger of Allah "Allah's blessing and peace be upon him" has sent me to a man, who married his father's wife after his death, and ordered me to chop off his head(or kill him)."

3329-It is narrated on the authority of Al-Bara Ibn Azib that he said: I met My paternal uncle carrying a flag. I asked him: "Where are you going?" he said: "The Messenger of Allah "Allah's blessing and peace be upon him" has sent me to a man, who married his father's wife after his death, and ordered me to chop off his head, and take his property."

لَهُ الأَمَةُ فَيُصِيبُ مِنْهَا وَيَكْرَهُ أَنْ تَحْمِلَ مِنْهُ قَالَ: «**لاَ عَلَيْكُمْ أَنْ لاَ تَفْعَلُوا فَإِنَّمَا هُوَ الْقَدَرُ**».

3325 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ عَنْ مُحَمَّدٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي الْفَيْضِ قَالَ: سَمِعْتُ عَبْدَ ٱللَّهِ بْنَ مُرَّةَ الزُّرَقِيَّ عَنْ أَبِي سَعِيدٍ الزُّرَقِيِّ: أَنَّ رَجُلاً سَأَلَ رَسُولَ ٱللَّهِ ﷺ عَنِ الْعَزْلِ فَقَالَ: إِنَّ ٱمْرَأَتِي تُرْضِعُ وَأَنَا أَكْرَهُ أَنْ تَحْمِلَ فَقَالَ النَّبِيُّ ﷺ: «**إِنَّ مَا قَدْ قُدِّرَ فِي الرَّحِمِ سَيَكُونُ**».

(56) ـ حَقُّ الرَّضَاعِ وحُرْمَتُهُ

3326 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَحْيَى عَنْ هِشَامٍ قَالَ: وَحَدَّثَنِي أَبِي عَنْ حَجَّاجِ بْنِ حَجَّاجٍ عَنْ أَبِيهِ قَالَ: قُلْتُ: يَا رَسُولَ ٱللَّهِ مَا يُذْهِبُ عَنِّي مَذَمَّةَ الرَّضَاعِ قَالَ: «**غُرَّةُ عَبْدٍ أَوْ أَمَةٍ**».

(57) ـ الشَّهَادَةُ فِي الرَّضَاعِ

3327 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا إِسْمَاعِيلُ عَنْ أَيُّوبَ عَنِ ٱبْنِ أَبِي مُلَيْكَةَ قَالَ: حَدَّثَنِي عُبَيْدُ بْنُ أَبِي مَرْيَمَ عَنْ عُقْبَةَ بْنِ الْحَارِثِ قَالَ: وَقَدْ سَمِعْتُهُ مِنْ عُقْبَةَ وَلَكِنِّي لِحَدِيثِ عُبَيْدٍ أَحْفَظُ قَالَ: تَزَوَّجْتُ ٱمْرَأَةً فَجَاءَتْنَا ٱمْرَأَةٌ سَوْدَاءُ فَقَالَتْ: إِنِّي قَدْ أَرْضَعْتُكُمَا فَأَتَيْتُ النَّبِيَّ ﷺ فَأَخْبَرْتُهُ فَقُلْتُ: إِنِّي تَزَوَّجْتُ فُلاَنَةَ بِنْتَ فُلاَنٍ فَجَاءَتْنِي ٱمْرَأَةٌ سَوْدَاءُ فَقَالَتْ: إِنِّي قَدْ أَرْضَعْتُكُمَا فَأَعْرَضَ عَنِّي فَأَتَيْتُهُ مِنْ قِبَلِ وَجْهِهِ فَقُلْتُ: إِنَّهَا كَاذِبَةٌ قَالَ: «**وَكَيْفَ بِهَا وَقَدْ زَعَمَتْ أَنَّهَا قَدْ أَرْضَعَتْكُمَا؟ دَعْهَا عَنْكَ**».

(58) ـ نِكَاحُ ما نَكَحَ الآباءُ

3328 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عُثْمَانَ بْنِ حَكِيمٍ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا الْحَسَنُ بْنُ صَالِحٍ عَنِ السُّدِّيِّ عَنْ عَدِيِّ بْنِ ثَابِتٍ عَنِ الْبَرَاءِ قَالَ: لَقِيتُ خَالِي وَمَعَهُ الرَّايَةُ فَقُلْتُ: أَيْنَ تُرِيدُ؟ قَالَ: أَرْسَلَنِي رَسُولُ ٱللَّهِ ﷺ إِلَى رَجُلٍ تَزَوَّجَ ٱمْرَأَةَ أَبِيهِ مِنْ بَعْدِهِ أَنْ أَضْرِبَ عُنُقَهُ أَوْ أَقْتُلَهُ.

3329 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ عَمْرٍو عَنْ زَيْدٍ عَنْ عَدِيِّ بْنِ ثَابِتٍ عَنْ يَزِيدَ بْنِ الْبَرَاءِ عَنْ أَبِيهِ قَالَ: أَصَبْتُ عَمِّي وَمَعَهُ رَايَةٌ فَقُلْتُ: أَيْنَ تُرِيدُ؟ فَقَالَ: بَعَثَنِي رَسُولُ ٱللَّهِ ﷺ إِلَى رَجُلٍ نَكَحَ ٱمْرَأَةَ أَبِيهِ فَأَمَرَنِي أَنْ أَضْرِبَ عُنُقَهُ وَآخُذَ مَالَهُ.

[59] Allah's Saying: " Also (Prohibited Are) Women Already Married, Barring Those Whom Your Right Hands Possess"

3330- It is narrated on the authority of Abu Sa'id Al-Khudri that the Messenger of Allah "Allah's blessing and peace be upon him" sent a military expedition to Awtas, and they faced their enemies (from among the infidels) and fought them and emerged victorious over them, and got female captives from them. It seemed that some of the companions of the Messenger of Allah "Allah's blessing and peace be upon him" felt it difficulty upon themselves to have sexual relation with them on account of their husbands from the pagans. On that occasion Allah Almighty revealed: "Also (prohibited are) women already married, except those whom your right hands possess." (An-Nisa 24) this means they would be lawful for them once the term of their Iddat elapsed.

[60] What about Shighar

(The Mutual Marriage With No Dower)

3331- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Shighar. (It is that a man says to another: "Give me your daughter or sister in marriage, on the condition that I would give you in marriage my daughter or sister" with no dower to be paid by any of them).

3332- It is narrated on the authority of Imran Ibn Husain that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No (object of obligatory charity due upon property) should be brought (to the place where the charity collector is), nor should he (the charity collector) keep himself away (from the charity givers), nor should there be Shighar in Islam; and he, who commits robbery does not belong to us."

3333- It is narrated on the authority of Anas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No (object of obligatory charity due upon property) should be brought (to the place where the charity collector is), nor should he (the charity collector) keep himself away (from the charity givers), nor should there be Shighar in Islam."

[61] The Meaning Of Shighar

3334- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Shighar; and Shighar is that a man gives his daughter (or sister) in marriage to another, on the condition that he himself marries his daughter (or sister) with no dower to be paid by any of them.

(59) ـ تَأْوِيلُ قَوْلِ الله عزّ وجلّ: ﴿وَٱلْمُحْصَنَٰتُ مِنَ ٱلنِّسَآءِ إِلَّا مَا مَلَكَتْ أَيْمَٰنُكُمْ﴾

3330 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ عَنْ أَبِي الْخَلِيلِ عَنْ أَبِي عَلْقَمَةَ الْهَاشِمِيِّ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ: أَنَّ نَبِيَّ ٱللَّهِ ﷺ بَعَثَ جَيْشاً إِلَى أَوْطَاسٍ فَلَقَوْا عَدُوّاً فَقَاتَلُوهُمْ وَظَهَرُوا عَلَيْهِمْ فَأَصَابُوا لَهُمْ سَبَايَا لَهُنَّ أَزْوَاجٌ فِي الْمُشْرِكِينَ فَكَانَ الْمُسْلِمُونَ تَحَرَّجُوا مِنْ غِشْيَانِهِنَّ فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ: ﴿وَٱلْمُحْصَنَٰتُ مِنَ ٱلنِّسَآءِ إِلَّا مَا مَلَكَتْ أَيْمَٰنُكُمْ﴾ [النساء: 24] أَيْ هٰذَا لَكُمْ حَلاَلٌ إِذَا ٱنْقَضَتْ عِدَّتُهُنَّ.

(60) ـ بَابُ الشِّغَارِ

3331 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ ٱللَّهِ قَالَ: أَخْبَرَنِي نَافِعٌ عَنِ ٱبْنِ عُمَرَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنِ الشِّغَارِ.

3332 ـ أَخْبَرَنَا حُمَيْدُ بْنُ مَسْعَدَةَ قَالَ: حَدَّثَنَا بِشْرٌ قَالَ: حَدَّثَنَا حُمَيْدٌ عَنِ الْحَسَنِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لاَ جَلَبَ وَلاَ جَنَبَ وَلاَ شِغَارَ فِي الإِسْلاَمِ وَمَنِ ٱنْتَهَبَ نُهْبَةً فَلَيْسَ مِنَّا»**.

3333 ـ أَخْبَرَنَا عَلِيُّ بْنُ مُحَمَّدِ بْنِ عَلِيٍّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ كَثِيرٍ عَنِ الْفَزَارِيِّ عَنْ حُمَيْدٍ عَنْ أَنَسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ جَلَبَ وَلاَ جَنَبَ وَلاَ شِغَارَ فِي الإِسْلاَمِ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا خَطَأٌ فَاحِشٌ وَالصَّوَابُ حَدِيثُ بِشْرٍ.

(61) ـ تَفْسِيرُ الشِّغَارِ

3334 ـ أَخْبَرَنَا هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ عَنْ نَافِعٍ ح. وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ مَالِكٌ: حَدَّثَنِي نَافِعٌ عَنِ ٱبْنِ عُمَرَ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنِ الشِّغَارِ» وَالشِّغَارُ: أَنْ يُزَوِّجَ الرَّجُلُ ٱبْنَتَهُ عَلَى أَنْ يُزَوِّجَهُ ٱبْنَتَهُ وَلَيْسَ بَيْنَهُمَا صَدَاقٌ.

3335- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Shighar. Ubaidullah said: Shighar was that a man would give his daughter (or sister) in marriage to another, on the condition that he himself should marry his (daughter or) sister (with no dower to be paid by any of them).

[62] Giving In Marriage In Return For Surahs From The Qur'an

3336- It is narrated on the authority of Sahl Ibn Sa'd that he said: A woman came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Allah's Apostle! I've come to grant myself to you." He raised his eyes and looked at her and then lowered his head. When the woman saw that he did not make any decision, she sat down. On that, a man from his companions got up and said: "O Allah's Apostle! If you are not in need of this woman, then marry her to me." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do you have anything to give to her (as a dower)?" He replied:" No, by Allah, O Allah's Apostle! I've got nothing." The Prophet "Allah's blessing and peace be upon him" said to him: "Go and search for anything even if it is a ring of iron." Went and returned, the man said: "No, by Allah, O Allah's Apostle! I found nothing, even not a ring of iron. But I have this waist sheet of mine." The man had no upper garment, so he wanted to give her half his waist sheet. So The Messenger of Allah "Allah's blessing and peace be upon him" said: "What would she do with your waist sheet? If you wear it, she will have nothing of it over her body, and if she wears it, you will have nothing over your body." Thus, the man sat for a long while. When he got up, The Messenger of Allah "Allah's blessing and peace be upon him" saw him. So he ordered somebody to call him. When he came, The Prophet "Allah's blessing and peace be upon him" asked him: " How much of the Qur'an do you know?" He replied: "I know such and such Surah, such and such Surah, and such and such Surah." He went on counting. The Prophet "Allah's blessing and peace be upon him" asked him: "Do you keep them by heart?" he replied: "Yes." The Prophet "Allah's blessing and peace be upon him" said: "Go, I've given her in marriage to you for what you know of the Qur'an (and keep) by heart."

[63] Marrying For Islam

3337- It is narrated on the authority of Anas that he said: Abu Talhah married Umm Sulaim, and her dower was Islam: Umm Sulaim embraced Islam before Abu Talhah, and when Abu Talhah betrothed her, she said: "I've embraced Islam: if you embrace Islam, I will get married to you." He then embraced Islam (and married her) and this was her dower.

3335 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِبْرَاهِيمَ وَعَبْدُ الرَّحْمٰنِ بْنُ مُحَمَّدِ بْنِ سَلاَّمٍ قَالاَ: حَدَّثَنَا إِسْحَاقُ الأَزْرَقُ عَنْ عُبَيْدِ ٱللَّهِ عَنْ أَبِي الزِّنَادِ عَنِ الأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ عَنِ الشِّغَارِ». قَالَ عُبَيْدُ ٱللَّهِ وَالشِّغَارُ: كَانَ الرَّجُلُ يُزَوِّجُ ٱبْنَتَهُ عَلَى أَنْ يُزَوِّجَهُ أُخْتَهُ.

(62) ـ بَابُ التَّزْوِيجِ عَلَى سُوَرٍ مِنَ القُرْآنِ

3336 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا يَعْقُوبُ عَنْ أَبِي حَازِمٍ عَنْ سَهْلِ بْنِ سَعْدٍ: أَنَّ ٱمْرَأَةً جَاءَتْ رَسُولَ ٱللَّهِ ﷺ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ جِئْتُ لأَهِبَ نَفْسِي لَكَ فَنَظَرَ إِلَيْهَا رَسُولُ ٱللَّهِ ﷺ فَصَعَّدَ النَّظَرَ إِلَيْهَا وَصَوَّبَهُ ثُمَّ طَأْطَأَ رَأْسَهُ فَلَمَّا رَأَتِ الْمَرْأَةُ أَنَّهُ لَمْ يَقْضِ فِيهَا شَيْئاً جَلَسَتْ فَقَامَ رَجُلٌ مِنْ أَصْحَابِهِ فَقَالَ: أَيْ رَسُولَ ٱللَّهِ إِنْ لَمْ يَكُنْ لَكَ بِهَا حَاجَةٌ فَزَوِّجْنِيهَا قَالَ: **«هَلْ عِنْدَكَ مِنْ شَيْءٍ؟»** فَقَالَ: لاَ وَٱللَّهِ مَا وَجَدْتُ شَيْئاً فَقَالَ: **«ٱنْظُرْ وَلَوْ خَاتَماً مِنْ حَدِيدٍ»** فَذَهَبَ ثُمَّ رَجَعَ فَقَالَ: لاَ وَٱللَّهِ يَا رَسُولَ ٱللَّهِ ولاَ خَاتَماً مِنْ حَدِيدٍ وَلٰكِنْ هٰذَا إِزَارِي قَالَ سَهْلٌ: مَا لَهُ رِدَاءٌ فَلَهَا نِصْفُهُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَا تَصْنَعُ بِإِزَارِكَ إِنْ لَبِسْتَهُ لَمْ يَكُنْ عَلَيْهَا مِنْهُ شَيْءٌ وَإِنْ لَبِسَتْهُ لَمْ يَكُنْ عَلَيْكَ مِنْهُ شَيْءٌ»** فَجَلَسَ الرَّجُلُ حَتَّى طَالَ مَجْلِسُهُ ثُمَّ قَامَ فَرَآهُ رَسُولُ ٱللَّهِ ﷺ مُوَلِّياً فَأَمَرَ بِهِ فَدُعِيَ فَلَمَّا جَاءَ قَالَ: **«مَاذَا مَعَكَ مِنَ الْقُرْآنِ؟»** قَالَ: مَعِي سُورَةُ كَذَا وَسُورَةُ كَذَا عَدَّدَهَا فَقَالَ: **«هَلْ تَقْرَؤُهُنَّ عَنْ ظَهْرِ قَلْبٍ؟»** قَالَ: نَعَمْ قَالَ: **«مَلَّكْتُكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ»**.

(63) ـ التَّزْوِيجُ عَلَى الإِسْلاَمِ

3337 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ مُوسَى عَنْ عَبْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ بْنِ أَبِي طَلْحَةَ عَنْ أَنَسٍ قَالَ: تَزَوَّجَ أَبُو طَلْحَةَ أُمَّ سُلَيْمٍ فَكَانَ صِدَاقُ مَا بَيْنَهُمَا الإِسْلاَمَ أَسْلَمَتْ أُمُّ سُلَيْمٍ قَبْلَ أَبِي طَلْحَةَ فَخَطَبَهَا فَقَالَتْ: إِنِّي قَدْ أَسْلَمْتُ فَإِنْ أَسْلَمْتَ نَكَحْتُكَ فَأَسْلَمَ فَكَانَ صِدَاقَ مَا بَيْنَهُمَا.

3338- It is narrated on the authority of Anas that he said: Abu Talhah demanded the hand of Umm Sulaim, thereupon she said: "By Allah, O Abu Talhah! Such a man as you should not be refused; but you are an infidel, and I'm a Muslim woman, and in this case, it is unlawful for me to marry an infidel: if you embrace Islam, this will be my dower, and I will not ask you anything besides." He embraced Islam, and this was her dower. Thabit said: I've never heard of a woman, whose dower was more honoured and generous than that of Umm Sulaim, which was Islam. He consummated marriage with her, and she begot children for him.

[64] Marrying In Return For Emancipation (As Dower)

3339- It is narrated on the authority of Anas that The Messenger of Allah "Allah's blessing and peace be upon him" emancipated Safiyyah (Bint Huyai) and made her emancipation her dower (when he married her).

3340- It is narrated on the authority of Anas that The Messenger of Allah "Allah's blessing and peace be upon him" emancipated Safiyyah (Bint Huyai) and made her emancipation her dower (when he married her).

[65] A Man Emancipates His Slave-Girl And Marries Her

3341- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Three persons will have a double reward: one who has got a slave-girl, and he teaches her good manners and educates her in the best possible way (the religion), and then he manumits and marries her; a slave who discharges his duties to Allah and his master; and such as believes from the people of Scripture."

3342- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who emancipates his slave-girl and then marries her, will have a double reward."

[66] The Fairness Of Dower

3343- It is narrated on the authority of Urwah Ibn Az-Zubair that he asked A'ishah about this verse: "If you fear that you shall not be able to deal justly with the orphans". She answered: "O son of my sister! An Orphan girl used to be under the care of a guardian with whom she shared property. Her guardian, being attracted by her wealth and beauty, would intend to marry her without giving her a just dower, The same as any other person might give her (in case he married her). So such guardians were forbidden to do that unless they did justice to their female wards and gave them the highest dower their nobles might get. They were ordered (by Allah) to marry women of their choice other than those orphan girls." A'ishah added: "The people

3338 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ النَّضْرِ بْنِ مُسَاوِرٍ قَالَ: أَنْبَأَنَا جَعْفَرُ بْنُ سُلَيْمَانَ عَنْ ثَابِتٍ عَنْ أَنَسٍ قَالَ: خَطَبَ أَبُو طَلْحَةَ أُمَّ سُلَيْمٍ فَقَالَتْ: وَٱللَّهِ مَا مِثْلُكَ يَا أَبَا طَلْحَةَ يُرَدُّ وَلٰكِنَّكَ رَجُلٌ كَافِرٌ وَأَنَا ٱمْرَأَةٌ مُسْلِمَةٌ وَلاَ يَحِلُّ لِي أَنْ أَتَزَوَّجَكَ فَإِنْ تُسْلِمْ فَذَاكَ مَهْرِي وَمَا أَسْأَلُكَ غَيْرَهُ فَأَسْلَمَ فَكَانَ ذٰلِكَ مَهْرَهَا قَالَ ثَابِتٌ: فَمَا سَمِعْتُ بِٱمْرَأَةٍ قَطُّ كَانَتْ أَكْرَمَ مَهْراً مِنْ أُمِّ سُلَيْمٍ الإِسْلاَمَ فَدَخَلَ بِهَا فَوَلَدَتْ لَهُ.

(64) ـ التَّزْوِيجُ على العِتْقِ

3339 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا أَبُو عَوَانَةَ عَنْ قَتَادَةَ وَعَبْدُ الْعَزِيزِ يَعْنِي ٱبْنَ صُهَيْبٍ عَنْ أَنَسِ بْنِ مَالِكٍ ح. وَأَنْبَأَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ ثَابِتٍ وَشُعَيْبٌ عَنْ أَنَسٍ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ أَعْتَقَ صَفِيَّةَ وَجَعَلَهُ صَدَاقَهَا».

3340 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ قَالَ: حَدَّثَنَا سُفْيَانُ ح. وَأَنْبَأَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ يُونُسَ عَنِ ٱبْنِ الْحَبْحَابِ عَنْ أَنَسٍ: «أَعْتَقَ رَسُولُ ٱللَّهِ ﷺ صَفِيَّةَ وَجَعَلَ عِتْقَهَا مَهْرَهَا» وَاللَّفْظُ لِمُحَمَّدٍ.

(65) ـ عِتْقُ الرَّجُلِ جَارِيَتَهُ ثم يَتَزَوَّجُها

3341 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي زَائِدَةَ قَالَ: حَدَّثَنِي صَالِحُ بْنُ صَالِحٍ عَنْ عَامِرٍ عَنْ أَبِي بُرْدَةَ بْنِ أَبِي مُوسَى عَنْ أَبِي مُوسَى قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«ثَلاَثَةٌ يُؤْتَوْنَ أَجْرَهُمْ مَرَّتَيْنِ رَجُلٌ كَانَتْ لَهُ أَمَةٌ فَأَدَّبَهَا فَأَحْسَنَ أَدَبَهَا وَعَلَّمَهَا فَأَحْسَنَ تَعْلِيمَهَا ثُمَّ أَعْتَقَهَا وَتَزَوَّجَهَا وَعَبْدٌ يُؤَدِّي حَقَّ ٱللَّهِ وَحَقَّ مَوَالِيهِ وَمُؤْمِنُ أَهْلِ الْكِتَابِ»**.

3342 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ أَبِي زُبَيْدٍ عَبْثَرُ بْنُ الْقَاسِمِ عَنْ مُطَرِّفٍ عَنْ عَامِرٍ عَنْ أَبِي بُرْدَةَ عَنْ أَبِي مُوسَى قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ أَعْتَقَ جَارِيَتَهُ ثُمَّ تَزَوَّجَهَا فَلَهُ أَجْرَانِ»**.

(66) ـ القِسْطُ في الأَصْدِقَةِ

3343 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى وَسُلَيْمَانُ بْنُ دَاوُدَ عَنِ ٱبْنِ وَهْبٍ. أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي عُرْوَةُ بْنُ الزُّبَيْرِ: أَنَّهُ سَأَلَ عَائِشَةَ عَنْ قَوْلِ ٱللَّهِ عَزَّ وَجَلَّ ﴿وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا۟ فِى ٱلْيَتَٰمَىٰ فَٱنكِحُوا۟ مَا طَابَ لَكُم مِّنَ ٱلنِّسَآءِ﴾ [النساء، الآية: 3] قَالَتْ: يَا ٱبْنَ أُخْتِي هِيَ الْيَتِيمَةُ تَكُونُ فِي حَجْرِ وَلِيِّهَا فَتُشَارِكُهُ فِي مَالِهِ فَيُعْجِبُهُ مَالُهَا وَجَمَالُهَا فَيُرِيدُ وَلِيُّهَا أَنْ يَتَزَوَّجَهَا بِغَيْرِ أَنْ يُقْسِطَ فِي صَدَاقِهَا فَيُعْطِيَهَا مِثْلَ مَا يُعْطِيهَا غَيْرُهُ فَنُهُوا أَنْ يَنْكِحُوهُنَّ إِلاَّ أَنْ يُقْسِطُوا لَهُنَّ وَيَبْلُغُوا بِهِنَّ أَعْلَى سُنَّتِهِنَّ مِنَ الصَّدَاقِ فَأُمِرُوا أَنْ يَنْكِحُوا مَا طَابَ لَهُمْ مِنَ النِّسَاءِ سِوَاهُنَّ قَالَ عُرْوَةُ: قَالَتْ عَائِشَةُ: ثُمَّ إِنَّ النَّاسَ ٱسْتَفْتَوْا

sought the verdict of Allah's Apostle "Allah's blessing and peace be upon him" after the revelation of this Divine Verse whereupon Allah revealed: "They ask your instruction concerning the women say: Allah does instruct you about them: and (remember) what has been rehearsed unto you in the book, concerning the orphans of women to whom you give not the portions prescribed, and yet whom you desire to marry." (Women 127) A'ishah added: "And what Allah Almighty mentioned as being rehearsed in the Book is the former Holy Verse, in which He says: "If you fear that you shall not be able to deal justly with the orphans, marry such of women as you please." A'ishah added: "Allah's Statement in the latter Holy Verse: "And yet whom you desire to marry" (Women 127) describes anyone of you who refrains from marrying an orphan girl (under his guardianship) when she is lacking in property and beauty." A'ishah added: "So they were forbidden to marry those orphan girls for whose wealth and beauty they had a desire unless with justice, and that was because they would refrain from marrying them (if they were lacking in property and beauty)."

3344- It is narrated on the authority of Abu Salamah that he said: I asked A'ishah about that (dower), and she said: The Messenger of Allah "Allah's blessing and peace be upon him" did (i.e. married all of his wives, and gave his daughters in marriage) for a dower of twelve and a half ounces, i.e. five hundred (Dirhams for each).

3345- It is narrated on the authority of Abu Hurairah that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" was living among us, the dower (of the majority of people) was ten ounces (four hundred Dirhams).

3346- It is narrated on the authority of Abu Al-Ajfa' As-Sulami that he said: Umar Ibn Al-Khattab said: "Do not exceed the due limit of the dower given to women: had it been a good deed in the world, and a (cause of) piety in the Sight of Allah, then, the Messenger of Allah "Allah's blessing and peace be upon him" would have been the most fitting and right from amongst you all to do so: he never gave a dower to anyone of his wives (more than twelve ounces), nor was anyone of his daughters given a dower more than twelve ounces. A man might make heavy the dower he gives to his wife so much that it leads to an enmity he has towards her, saying: "I've been put to difficulty (so much that for your sake I carried such troublesome things as) the rope of the water-skin or the sweat caused by the water-skin." Indeed, I was an Arab-born, and I do not know whether it is the rope of the water-skin or the sweat caused by the water-skin." He further said: "There is another (word) therewith they describe such as is killed or died in your

رَسُولَ ٱللَّهِ ﷺ بَعْدُ فِيهِنَّ فَأَنْزَلَ اللَّهُ عَزَّ وَجَلَّ ﴿وَيَسْتَفْتُونَكَ فِى ٱلنِّسَآءِ قُلِ ٱللَّهُ يُفْتِيكُمْ فِيهِنَّ﴾ إِلَى قَوْلِهِ: ﴿وَتَرْغَبُونَ أَن تَنكِحُوهُنَّ﴾ [النساء، الآية: 127] قَالَتْ عَائِشَةُ: وَالَّذِي ذَكَرَ ٱللَّهُ تَعَالَى أَنَّهُ يُتْلَى فِي الْكِتَابِ الآيَةُ الأُولَى الَّتِي فِيهَا ﴿وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِى ٱلْيَتَٰمَىٰ فَٱنكِحُوا مَا طَابَ لَكُم مِّنَ ٱلنِّسَآءِ﴾ قَالَتْ عَائِشَةُ: وَقَوْلُ ٱللَّهِ فِي الآيَةِ الأُخْرَى ﴿وَتَرْغَبُونَ أَن تَنكِحُوهُنَّ﴾ رَغْبَةَ أَحَدِكُمْ عَنْ يَتِيمَتِهِ الَّتِي تَكُونُ فِي حِجْرِهِ حِينَ تَكُونُ قَلِيلَةَ الْمَالِ وَالْجَمَالِ فَنُهُوا أَنْ يَنْكِحُوا مَا رَغِبُوا فِي مَالِهَا مِنْ يَتَامَى النِّسَاءِ إِلاَّ بِالْقِسْطِ مِنْ أَجْلِ رَغْبَتِهِمْ عَنْهُنَّ.

3344 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ عَنْ يَزِيدَ بْنِ عَبْدِ ٱللَّهِ بْنِ الْهَادِ عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ عَنْ أَبِي سَلَمَةَ قَالَ: سَأَلْتُ عَائِشَةَ عَنْ ذٰلِكَ فَقَالَتْ: فَعَلَ رَسُولُ ٱللَّهِ ﷺ عَلَى ٱثْنَتَيْ عَشْرَةَ أُوقِيَّةً وَنَشٌّ وَذٰلِكَ خَمْسُمِائَةِ دِرْهَمٍ.

3345 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ قَالَ: حَدَّثَنَا دَاوُدُ بْنُ قَيْسٍ عَنْ مُوسَى بْنِ يَسَارٍ عَنْ أَبِي هُرَيْرَةَ قَالَ: كَانَ الصَّدَاقُ إِذْ كَانَ فِينَا رَسُولُ ٱللَّهِ ﷺ عَشْرَةَ أَوَاقٍ.

3346 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرِ بْنِ إِيَاسِ بْنِ مُقَاتِلِ بْنِ مُشْمَرِخِ بْنِ خَالِدٍ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ عَنْ أَيُّوبَ وَٱبْنِ عَوْنٍ وَسَلَمَةَ بْنِ عَلْقَمَةَ وَهِشَامِ بْنِ حَسَّانَ دَخَلَ حَدِيثُ بَعْضِهِمْ فِي بَعْضٍ عَنْ مُحَمَّدِ بْنِ سِيرِينَ قَالَ سَلَمَةُ عَنِ ٱبْنِ سِيرِينَ: نُبِّئْتُ عَنْ أَبِي الْعَجْفَاءِ. وَقَالَ الآخَرُونَ عَنْ مُحَمَّدِ بْنِ سِيرِينَ عَنْ أَبِي الْعَجْفَاءِ قَالَ: قَالَ عُمَرُ بْنُ الْخَطَّابِ: أَلاَ لاَ تَغْلُوا صُدُقَ النِّسَاءِ فَإِنَّهُ لَوْ كَانَ مَكْرُمَةً وَفِي الدُّنْيَا أَوْ تَقْوَى عِنْدَ ٱللَّهِ عَزَّ وَجَلَّ كَانَ أَوْلاَكُمْ بِهِ النَّبِيُّ ﷺ مَا أَصْدَقَ رَسُولُ ٱللَّهِ ﷺ ٱمْرَأَةً مِنْ نِسَائِهِ وَلاَ أُصْدِقَتِ ٱمْرَأَةٌ مِنْ بَنَاتِهِ أَكْثَرَ مِنْ ثِنْتَيْ عَشْرَةَ أُوقِيَّةً وَإِنَّ الرَّجُلَ لَيُغْلِي بِصَدُقَةِ ٱمْرَأَتِهِ حَتَّى يَكُونَ لَهَا عَدَاوَةٌ فِي نَفْسِهِ وَحَتَّى يَقُولَ كُلِّفْتُ لَكُمْ عِلْقَ الْقِرْبَةِ وَكُنْتُ غُلاَماً عَرَبِيًّا مُوَلَّداً فَلَمْ أَدْرِ مَا عِلْقُ الْقِرْبَةِ قَالَ: وَأُخْرَى يَقُولُونَهَا لِمَنْ قُتِلَ فِي

battlefields. They say: "So and so was killed as a martyr" or "So and so died as a martyr", even though he might have overloaded the back or the saddlebag of his riding mount with gold or silver of his trade (for which he set out and not for fight in Allah's Cause). So, do not say such a word, but you'd rather say the same as the Messenger of Allah "Allah's blessing and peace be upon him" used to say: "He, who is killed or dies in Allah's Cause will be in the Garden.""

3347- It is narrated on the authority of Umm Habibah that the Messenger of Allah "Allah's blessing and peace be upon him" married her while she was in Abyssinia: It was the Negus who married her (acting as the Prophet's deputy), and gave her four thousand (Dirhams) as her dower, and prepared her from his own property, and sent her with Shurahbil Ibn Hasanah. But the Messenger of Allah "Allah's blessing and peace be upon him" sent nothing to her. The dower he gave to each one of his wives was (no more than) four hundred Dirhams.

[67] Marrying For A Date-Stone's Weight Of Gold (As Dower)

3348- It is narrated on the authority of Anas that Abd Ar-Rahman Ibn Awf came to the Messenger of Allah "Allah's blessing and peace be upon him" having the traces of yellowish scent, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" asked him about that, and he told him that he had married a woman from amongst the Ansar. the Messenger of Allah "Allah's blessing and peace be upon him" asked him: "How much have you given her as dower?" he said: "A date-stone's weight of gold." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Make a wedding banquet even with a single sheep."

3349- It is narrated on the authority of Anas that Abd Ar-Rahman Ibn Awf said: The Messenger of Allah "Allah's blessing and peace be upon him" saw me with the joy of bridal on my face, thereupon I told him: "I've married a woman from amongst the Ansar." He asked him: "How much have you given her as dower?" he said: "A date-stone's weight of gold."

3350- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Any woman who is married in return for a dower, a gift or a promised present to be given to her before holding the tie of wedlock, such should be for her, and whatever is given after holding the tie of marriage should be to such as to whom it is given (i.e. her guardian); and it is most fitting for a man to be honoured for the sake of his daughter or sister."

مَغَازِيكُمْ أَوْ مَاتَ قُتِلَ فُلاَنٌ شَهِيداً أَوْ مَاتَ فُلاَنٌ شَهِيداً وَلَعَلَّهُ أَنْ يَكُونَ قَدْ أَوْقَرَ عَجُزَ دَابَّتِهِ أَوْ دَفَّ رَاحِلَتِهِ ذَهَباً أَوْ وَرِقاً يَطْلُبُ التِّجَارَةَ فَلاَ تَقُولُوا ذَاكُمْ وَلَكِنْ قُولُوا كَمَا قَالَ النَّبِيُّ ﷺ: **«مَنْ قُتِلَ فِي سَبِيلِ ٱللَّهِ أَوْ مَاتَ فَهُوَ فِي الْجَنَّةِ»**.

3347 ـ أَخْبَرَنَا الْعَبَّاسُ بْنُ مُحَمَّدٍ الدُّورِيُّ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ الْحسَنِ بْنِ شَقِيقٍ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ بْنُ الْمُبَارَكِ عَنْ مَعْمَرٍ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ عَنْ أُمِّ حَبِيبَةَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ تَزَوَّجَهَا وَهِيَ بِأَرْضِ الْحَبَشَةِ زَوَّجَهَا النَّجَاشِيُّ وَأَمْهَرَهَا أَرْبَعَةَ آلاَفٍ وَجَهَّزَهَا مِنْ عِنْدِهِ وَبَعَثَ بِهَا مَعَ شُرَحْبِيلَ بْنِ حَسَنَةَ وَلَمْ يَبْعَثْ إِلَيْهَا رَسُولُ ٱللَّهِ ﷺ بِشَيْءٍ وَكَانَ مَهْرُ نِسَائِهِ أَرْبَعَمِائَةِ دِرْهَمٍ.

(67) ـ التَّزْوِيجُ على نَوَاةٍ مِنْ ذَهَبٍ

3348 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لِمُحَمَّدٍ عَنِ ٱبْنِ الْقَاسِمِ عَنْ مَالِكٍ عَنْ حُمَيْدٍ الطَّوِيلِ عَنْ أَنَسِ بْنِ مَالِكٍ: أَنَّ عَبْدَ الرَّحْمٰنِ بْنَ عَوْفٍ جَاءَ إِلَى النَّبِيِّ ﷺ وَبِهِ أَثَرُ الصُّفْرَةِ فَسَأَلَهُ رَسُولُ ٱللَّهِ ﷺ فَأَخْبَرَهُ أَنَّهُ تَزَوَّجَ ٱمْرَأَةً مِنَ الأَنْصَارِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«كَمْ سُقْتَ إِلَيْهَا؟»** قَالَ: زِنَةَ نَوَاةٍ مِنْ ذَهَبٍ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أَوْلِمْ وَلَوْ بِشَاةٍ»**.

3349 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا النَّضْرُ بْنُ شُمَيْلٍ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ صُهَيْبٍ قَالَ: سَمِعْتُ أَنَساً يَقُولُ: قَالَ عَبْدُ الرَّحْمٰنِ بْنُ عَوْفٍ: رَآنِي رَسُولُ ٱللَّهِ ﷺ وَعَلَيَّ بَشَاشَةُ الْعُرْسِ فَقُلْتُ: تَزَوَّجْتُ ٱمْرَأَةً مِنَ الأَنْصَارِ قَالَ: **«كَمْ أَصْدَقْتَهَا؟»** قَالَ: زِنَةَ نَوَاةٍ مِنْ ذَهَبٍ.

3350 ـ أَخْبَرَنَا هِلاَلُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا حَجَّاجٌ قَالَ ٱبْنُ جُرَيْجٍ: حَدَّثَنِي عَمْرُو بْنُ شُعَيْبٍ ح. وَأَخْبَرَنِي عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ تَمِيمٍ قَالَ: سَمِعْتُ حَجَّاجاً يَقُولُ قَالَ ٱبْنُ جُرَيْجٍ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو: أَنَّ النَّبِيَّ ﷺ قَالَ: **«أَيُّمَا ٱمْرَأَةٍ نُكِحَتْ عَلَى صَدَاقٍ أَوْ حِبَاءٍ أَوْ عِدَةٍ قَبْلَ عِصْمَةِ النِّكَاحِ فَهُوَ لَهَا وَمَا كَانَ بَعْدَ عِصْمَةِ النِّكَاحِ فَهُوَ لِمَنْ أَعْطَاهُ وَأَحَقُّ مَا أُكْرِمَ عَلَيْهِ الرَّجُلُ ٱبْنَتُهُ أَوْ أُخْتُهُ»**. اللَّفْظُ لِعَبْدِ ٱللَّهِ.

[68] It Is Permissible To Marry With No Dower

3351- It is narrated on the authority of both Alqamah and Al-Aswad that they said: Abdullah Ibn Mas'ud was asked (to give his religious verdict concerning) one who married a woman and then died before consummating marriage with her, and no dower was fixed for her. Abdullah said: "Ask whether there is a certain narration pertaining to that matter." They said: "O Abu Abd Ar-Rahman! We find no narration pertaining to that." He said: "Then, I shall give a religious verdict depending upon my own knowledge and opinion, and if it is right, then, it is of (the grace of) Allah (upon me). She should take a dower like her fellow women (who consummated marriage) with neither reduction nor increase. She should be given her portion of inheritance, and she also should fulfill the term (of Iddat prescribed for a widow)." A man from (the tribe of) Ashja' got up and said: "No doubt, the Messenger of Allah "Allah's blessing and peace be upon him" passed such a judgement in favour of a woman belonging to us called Baru', daughter of Washiq. She got married to a man who died before consummating marriage with her." the Messenger of Allah "Allah's blessing and peace be upon him" Passed the judgement that She should take a dower like her fellow women (who consummated marriage), that she should be given her portion of inheritance, and that she also should fulfill the term (of Iddat prescribed for a widow)." Upon this Abdullah raised both his hands and said: "Allah is Greater."

3352- It is narrated on the authority of Alqamah that the religious verdict of Abdullah Ibn Mas'ud was sought pertaining to a woman who got married to a man and then he died without fixing a dower for her and he did not consummate marriage with her. They kept meeting him for a month, during which he gave no verdict until he said at last: "She should have the dower in full with no reduction nor increase, (her portion of) the heritage should be given to her, and the term of Iddat is binding upon her." On that Ma'qil Ibn Sinan Al-Ashja'i bore witness that The same judgement was passed by the Messenger of Allah "Allah's blessing and peace be upon him" in connection with Baru' Bint Washiq.

3353- It is narrated on the authority of Masruq that Abdullah Ibn Mas'ud said pertaining to a man who marries a woman and does not consummate marriage with her until he dies, without fixing a dower for her: "She should have the dower in full, the term of Iddat is binding upon her, and (her portion of) the heritage should be given to her." On that Ma'qil Ibn Sinan said: "The same judgement was passed by the Messenger of Allah "Allah's blessing and peace be upon him" in connection with Baru' Bint Washiq."

(68) ـ إِبَاحَةُ التَّزْوِيجِ بِغَيْرِ صَدَاقٍ

3351 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا أَبُو سَعِيدٍ عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ عَنْ زَائِدَةَ بْنِ قُدَامَةَ عَنْ مَنْصُورٍ عَنْ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ وَالأَسْوَدِ قَالاَ: أُتِيَ عَبْدُ ٱللَّهِ فِي رَجُلٍ تَزَوَّجَ ٱمْرَأَةً وَلَمْ يَفْرِضْ لَهَا فَتُوُفِّيَ قَبْلَ أَنْ يَدْخُلَ بِهَا فَقَالَ عَبْدُ ٱللَّهِ: سَلُوا هَلْ تَجِدُونَ فِيهَا أَثَراً؟ قَالُوا: يَا أَبَا عَبْدِ الرَّحْمٰنِ مَا نَجِدُ فِيهَا يَعْنِي أَثَراً قَالَ: أَقُولُ بِرَأْيِي فَإِنْ كَانَ صَوَاباً فَمِنَ ٱللَّهِ لَهَا كَمَهْرِ نِسَائِهَا لاَ وَكْسَ وَلاَ شَطَطَ وَلَهَا الْمِيرَاثُ وَعَلَيْهَا الْعِدَّةُ فَقَامَ رَجُلٌ مِنْ أَشْجَعَ فَقَالَ: فِي مِثْلِ هٰذَا قَضَى رَسُولُ ٱللَّهِ ﷺ فِينَا فِي ٱمْرَأَةٍ يُقَالُ لَهَا بَرْوَعُ بِنْتُ وَاشِقٍ تَزَوَّجَتْ رَجُلاً فَمَاتَ قَبْلَ أَنْ يَدْخُلَ بِهَا فَقَضَى لَهَا رَسُولُ ٱللَّهِ ﷺ بِمِثْلِ صَدَاقِ نِسَائِهَا وَلَهَا الْمِيرَاثُ وَعَلَيْهَا الْعِدَّةُ فَرَفَعَ عَبْدُ اللَّهِ يَدَيْهِ وَكَبَّرَ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: لاَ أَعْلَمُ أَحَداً قَالَ فِي هٰذَا الْحَدِيثِ الأَسْوَدُ غَيْرُ زَائِدَةَ.

3352 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا يَزِيدُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ مَنْصُورٍ عَنْ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ عَنْ عَبْدِ ٱللَّهِ: أَنَّهُ أُتِيَ فِي ٱمْرَأَةٍ تَزَوَّجَهَا رَجُلٌ فَمَاتَ عَنْهَا وَلَمْ يَفْرِضْ لَهَا صَدَاقاً وَلَمْ يَدْخُلْ بِهَا فَٱخْتَلَفُوا إِلَيْهِ قَرِيباً مِنْ شَهْرٍ لاَ يُفْتِيهِمْ ثُمَّ قَالَ: أَرَى لَهَا صَدَاقَ نِسَائِهَا لاَ وَكْسَ وَلاَ شَطَطَ وَلَهَا الْمِيرَاثُ وَعَلَيْهَا الْعِدَّةُ فَشَهِدَ مَعْقِلُ بْنُ سِنَانَ الأَشْجَعِيُّ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَضَى فِي بَرْوَعَ بِنْتِ وَاشِقٍ بِمِثْلِ مَا قَضَيْتَ.

3353 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ فِرَاسٍ عَنِ الشَّعْبِيِّ عَنْ مَسْرُوقٍ عَنْ عَبْدِ ٱللَّهِ: فِي رَجُلٍ تَزَوَّجَ ٱمْرَأَةً فَمَاتَ وَلَمْ يَدْخُلْ بِهَا وَلَمْ يَفْرِضْ لَهَا قَالَ: لَهَا الصَّدَاقُ وَعَلَيْهَا الْعِدَّةُ وَلَهَا الْمِيرَاثُ فَقَالَ مَعْقِلُ بْنُ سِنَانَ: فَقَدْ سَمِعْتُ النَّبِيَّ ﷺ قَضَى بِهِ فِي بَرْوَعَ بِنْتِ وَاشِقٍ.

3354- A Hadith like this is narrated on the authority of Alqamah from Abdullah, through the same chain of transmission.

3355- It is narrated on the authority of Alqamah from Abdullah Ibn Mas'ud that some people came to him and asked: "One among us married a woman and no dower was fixed for her and then he died before consummating marriage with her." Abdullah said: "I've never been asked a question more difficult upon me than this since I left the Messenger of Allah "Allah's blessing and peace be upon him". So, you'd rather go to anyone else." They kept meeting with him for a month, and then they said to him at last: "Whom else other than you should we ask, if we do not ask you, since you are from the glorious companions of the Messenger of Allah "Allah's blessing and peace be upon him" in this town? We find none else other than you (to seek his verdict)."He said: "Then, I shall give a religious verdict depending upon my own knowledge and opinion, and if it is right, then, it is of (the grace of) Allah the One and Only, other than Whom there is no partner, and if it is wrong, it is then from me and from Satan, from which Allah and His messenger are free. I think that she should take a dower like the dower of her fellow-women (who consummated marriage), with no reduction nor increase, that she should be given her portion of inheritance, and she also should fulfill the term (of Iddat prescribed for a widow) of four months and ten days." This judgement was at the hearing of some people from (the tribe of) Ashja', thereupon they stood and said: "We bear witness that you've passed a judgement similar to that given by the Messenger of Allah "Allah's blessing and peace be upon him" in favour of a woman belonging to us called Baru', daughter of Washiq." Abdullah has never been seen as happy as he was on that day except when he embraced Islam.

[69] When A Woman Grants Herself To A Man (In Marriage) With No Dower

3356- It is narrated on the authority of Sahl Ibn Sa'd that he said: A woman came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Allah's Apostle! I've come to grant myself to you." She kept standing for a long time (after which she sat down). On that, a man got up and said: "O Allah's Apostle! If you are not in need of this woman, then marry her to me." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do you have anything to give to her (as a dower)?" He replied:" No, by Allah, O Allah's Apostle! I've got nothing." The Prophet "Allah's blessing and peace be upon him" said to him: "Go and search for anything even if it is a ring of iron." He searched, and found nothing, even not a ring of iron. The Prophet "Allah's blessing and peace be upon him"

3354 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ عَنْ سُفْيَانَ عَنْ مَنْصُورٍ عَنْ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ عَنْ عَبْدِ ٱللَّهِ، مِثْلَهُ.

3355 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ عَنْ دَاوُدَ بْنِ أَبِي هِنْدٍ عَنِ الشَّعْبِيِّ عَنْ عَلْقَمَةَ عَنْ عَبْدِ ٱللَّهِ: أَنَّهُ أَتَاهُ قَوْمٌ فَقَالُوا: إِنَّ رَجُلاً مِنَّا تَزَوَّجَ ٱمْرَأَةً وَلَمْ يَفْرِضْ لَهَا صَدَاقاً وَلَمْ يَجْمَعْهَا إِلَيْهِ حَتَّى مَاتَ فَقَالَ عَبْدُ ٱللَّهِ: مَا سُئِلْتُ مُنْذُ فَارَقْتُ رَسُولَ ٱللَّهِ ﷺ أَشَدَّ عَلَيَّ مِنْ هٰذِهِ فَأْتُوا غَيْرِي فَٱخْتَلَفُوا إِلَيْهِ فِيهَا شَهْراً ثُمَّ قَالُوا لَهُ فِي آخِرِ ذٰلِكَ: مَنْ نَسْأَلُ إِنْ لَمْ نَسْأَلْكَ وَأَنْتَ مِنْ جِلَّةِ أَصْحَابِ مُحَمَّدٍ ﷺ بِهٰذَا الْبَلَدِ وَلاَ نَجِدُ غَيْرَكَ قَالَ: سَأَقُولُ فِيهَا بِجَهْدِ رَأْيِي فَإِنْ كَانَ صَوَاباً فَمِنَ ٱللَّهِ وَحْدَهُ لاَ شَرِيكَ لَهُ وَإِنْ كَانَ خَطَأً فَمِنِّي وَمِنَ الشَّيْطَانِ وَٱللَّهُ وَرَسُولُهُ مِنْهُ بُرَآءٌ أُرَى أَنْ أَجْعَلَ لَهَا صَدَاقَ نِسَائِهَا لاَ وَكْسَ وَلاَ شَطَطَ وَلَهَا الْمِيرَاثُ وَعَلَيْهَا الْعِدَّةُ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً قَالَ: وَذٰلِكَ بِسَمْعِ أُنَاسٍ مِنْ أَشْجَعَ فَقَامُوا فَقَالُوا: نَشْهَدُ أَنَّكَ قَضَيْتَ بِمَا قَضَى بِهِ رَسُولُ ٱللَّهِ ﷺ فِي ٱمْرَأَةٍ مِنَّا يُقَالُ لَهَا بَرْوَعُ بِنْتُ وَاشِقٍ. قَالَ: فَمَا رُئِيَ عَبْدُ ٱللَّهِ فَرِحَ فَرْحَةً يَوْمَئِذٍ إِلاَّ بِإِسْلاَمِهِ.

(69) ـ بَابُ هِبَةِ الْمَرْأَةِ نَفْسَهَا لِرَجُلٍ بِغَيْرِ صَدَاقٍ

3356 ـ أَخْبَرَنَا هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ عَنْ أَبِي حَازِمٍ عَنْ سَهْلِ بْنِ سَعْدٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ جَاءَتْهُ ٱمْرَأَةٌ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إِنِّي قَدْ وَهَبْتُ نَفْسِي لَكَ فَقَامَتْ قِيَاماً طَوِيلاً فَقَامَ رَجُلٌ فَقَالَ: زَوِّجْنِيهَا إِنْ لَمْ يَكُنْ لَكَ بِهَا حَاجَةٌ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«هَلْ عِنْدَكَ شَيْءٌ؟»** قَالَ: مَا أَجِدُ شَيْئاً قَالَ: **«ٱلْتَمِسْ وَلَوْ خَاتَماً مِنْ حَدِيدٍ»**. فَٱلْتَمَسَ فَلَمْ يَجِدْ

asked him: " Do you have (and keep by heart) anything from the Qur'an?" He replied: "Yes, I have (and keep by heart) such and such Surah, and such and such Surah." He went on counting them. The Prophet "Allah's blessing and peace be upon him" said: "I've given her in marriage to you for what you have (and keep by heart) from the Qur'an."

[70] Making Lawful The Private Parts

3357- It is narrated on the authority of An-Nu'man Ibn Bashir from The Messenger of Allah "Allah's blessing and peace be upon him" that he said concerning a man who had sexual relation with his wife's slave-girl: "If she (his wife) made her lawful for him, I would lash him one hundred lashes; and if she did not make her lawful for him, I would stone him to death."

3358- It is narrated on the authority of An-Nu'man Ibn Bashir that a man called Abd Ar-Rahman Ibn Hunain, and nicknamed Qurqur had sexual relation with his wife's slave-girl, thereupon his case was filed to An-Nu'man Ibn Bashir who said: "I'm going to pass the same judgement as that of The Messenger of Allah "Allah's blessing and peace be upon him": "If she (your wife) made her lawful for you, I would lash you one hundred lashes; and if she did not make her lawful for you, I would stone you to death."" She had made her lawful for him, thereupon he was given one hundred lashes. Qatadah said: I sent to Habib Ibn Salim (asking him) about that, and he sent to me the same narration.

3359- It is narrated on the authority of An-Nu'man Ibn Bashir from The Messenger of Allah "Allah's blessing and peace be upon him" that he said concerning a man who had sexual relation with his wife's slave-girl: "If she (his wife) made her lawful for him, I would lash him one hundred lashes; and if she did not make her lawful for him, I would stone him to death."

3360- It is narrated on the authority of Salamah Ibn Al-Muhabbiq that he said: The Messenger of Allah "Allah's blessing and peace be upon him" passed a judgement concerning a man who had sexual relation with his wife's slave-girl that "If he had forced her to have sexual relation with him, she should be free, and the like of her is due upon him to her mistress; and if she surrendered to him by her own will, she should come to be his slave-girl, and the like of her is due upon him to her mistress."

3361- It is narrated on the authority of Salamah Ibn Al-Muhabbiq that a man had sexual relation with his wife's slave-girl, and his case was filed to The Messenger of Allah "Allah's blessing and peace be upon him", who said: "If he had forced her to have sexual relation with him, she should be free, and the like of her is due upon him to her mistress; and if she

شَيْئاً فَقَالَ لَهُ رَسُولُ ٱللَّهِ ﷺ: «هَلْ مَعَكَ مِنَ الْقُرْآنِ شَيْءٌ؟» قَالَ: نَعَمْ سُورَةُ كَذَا وَسُورَةُ كَذَا لِسُوَرٍ سَمَّاهَا قَالَ رَسُولُ ٱللَّهِ ﷺ: «قَدْ زَوَّجْتُكَهَا عَلَى مَا مَعَكَ مِنَ الْقُرْآنِ».

(70) ـ بَابُ إِحْلالِ الفَرْجِ

3357 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي بِشْرٍ عَنْ خَالِدِ بْنِ عُرْفُطَةَ عَنْ حَبِيبِ بْنِ سَالِمٍ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ: عَنِ النَّبِيِّ ﷺ فِي الرَّجُلِ يَأْتِي جَارِيَةَ لامْرَأَتِهِ قَالَ: «إِنْ كَانَتْ أَحَلَّتْهَا لَهُ جَلَدْتُهُ مِائَةً وَإِنْ لَمْ تَكُنْ أَحَلَّتْهَا لَهُ رَجَمْتُهُ».

3358 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْمَرٍ قَالَ: حَدَّثَنَا حَبَّانُ قَالَ: حَدَّثَنَا أَبَانُ عَنْ قَتَادَةَ عَنْ خَالِدِ بْنِ عُرْفُطَةَ عَنْ حَبِيبِ بْنِ سَالِمٍ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ: أَنَّ رَجُلاً يُقَالُ لَهُ عَبْدُ الرَّحْمٰنِ بْنُ حُنَيْنٍ وَيُنْبَزُ قُرْقُوراً أَنَّهُ وَقَعَ بِجَارِيَةِ ٱمْرَأَتِهِ فَرُفِعَ إِلَى النُّعْمَانِ بْنِ بَشِيرٍ فَقَالَ: لأَقْضِيَنَّ فِيهَا بِقَضِيَّةِ رَسُولِ ٱللَّهِ ﷺ إِنْ كَانَتْ أَحَلَّتْهَا لَكَ جَلَدْتُكَ وَإِنْ لَمْ تَكُنْ أَحَلَّتْهَا لَكَ رَجَمْتُكَ بِالْحِجَارَةِ فَكَانَتْ أَحَلَّتْهَا لَهُ فَجُلِدَ مِائَةً. قَالَ قَتَادَةُ: فَكَتَبْتُ إِلَى حَبِيبِ بْنِ سَالِمٍ فَكَتَبَ إِلَيَّ بِهٰذَا.

3359 ـ أَخْبَرَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا عَارِمٌ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ سَعِيدِ بْنِ أَبِي عَرُوبَةَ عَنْ قَتَادَةَ عَنْ حَبِيبِ بْنِ سَالِمٍ عَنِ النُّعْمَانِ بنِ بَشِيرٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ فِي رَجُلٍ وَقَعَ بِجَارِيَةِ ٱمْرَأَتِهِ: «إِنْ كَانَتْ أَحَلَّتْهَا لَهُ فَأَجْلِدْهُ مِائَةً وَإِنْ لَمْ تَكُنْ أَحَلَّتْهَا لَهُ فَأَرْجُمْهُ».

3360 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنْ قَتَادَةَ عَنِ الْحَسَنِ عَنْ قَبِيصَةَ بْنِ حُرَيْثٍ عَنْ سَلَمَةَ بْنِ الْمُحَبِّقِ قَالَ: «قَضَى النَّبِيُّ ﷺ فِي رَجُلٍ وَطِىءَ جَارِيَةَ ٱمْرَأَتِهِ إِنْ كَانَ اسْتَكْرَهَهَا فَهِيَ حُرَّةٌ وَعَلَيْهِ لِسَيِّدَتِهَا مِثْلُهَا، وَإِنْ كَانَتْ طَاوَعَتْهُ فَهِيَ لَهُ وَعَلَيْهِ لِسَيِّدَتِهَا مِثْلُهَا».

3361 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا يَزِيدُ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ عَنِ الْحَسَنِ عَنْ سَلَمَةَ بْنِ الْمُحَبِّقِ: أَنَّ رَجُلاً غَشِيَ جَارِيَةَ لامْرَأَتِهِ فَرُفِعَ ذٰلِكَ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: «إِنْ كَانَ ٱسْتَكْرَهَهَا فَهِيَ حُرَّةٌ مِنْ مَالِهِ وَعَلَيْهِ الشَّرْوَى لِسَيِّدَتِهَا

surrendered to him by her own will, she should be for her mistress, and the like of her besides is due upon him from his own property to her mistress."

[71] The Prohibition Of The Enjoyment (Of Women Through Temporal Marriage)

3362- It is narrated on the authority of Ali that he was informed that a man (Ibn Abbas) was of the opinion that there is no harm in the enjoyment (of women through contracting temporal marriage), thereupon Ali said to him: "You are straying, since The Messenger of Allah "Allah's blessing and peace be upon him" forbade it as well as (eating) the flesh of donkeys on the day of (the battle of) Khaibar."

3363- It is narrated on the authority of Ali Ibn Abu Talib that the Messenger of Allah "Allah's blessing and peace be upon him" forbade the enjoyment of women (through contracting temporal marriage), as well as (eating) the flesh of donkeys on the day of (the holy battle of) Khaibar.

3364- It is narrated on the authority of Ali Ibn Abu Talib that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade the enjoyment of women (through contracting temporal marriage) on the day of (the holy battle of) Khaibar. Ibn Al-Muthanna said: This was on the day of (the battle of) Hunain. He further said: As such Abd Al-Wahhab told us from his book.

3365- It is narrated on the authority of Ar-Rabie Ibn Sabrah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" gave permission to enjoy of women (through contracting temporal marriage with them). I and another man set out to a woman belonging to the sons of Amir, and offered ourselves to her. She said to me: "What should you give me (as dower)?" I said: "My garment." My companion also offered his garment, which was better than mine, even though I was stronger and healthier than him. Whenever she looked at the garment of my companion, it would appeal her, and whenever she caught a glimpse of me, she would have inclination towards me. Then she said: "You and your garment are sufficient for me." I spent three days with her, and then The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has got such of those women as he enjoys of (through temporal marriage), let him leave her."

[72] Making Public The Marriage With (Raising And Making Audible) The Voice And Beating Tambourine

3366- It is narrated on the authority of Muhammad Ibn Hatib that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said:

وَإِنْ كَانَتْ طَاوَعَتْهُ فَهِيَ لِسَيِّدَتِهَا وَمِثْلُهَا مِنْ مَالِهِ».

(71) ـ تَحْرِيمُ المِتْعَةِ

3362 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ ٱللَّهِ بْنِ عُمَرَ قَالَ: حَدَّثَنِي الزُّهْرِيُّ عَنِ الْحَسَنِ وَعَبْدِ ٱللَّهِ ٱبْنَيْ مُحَمَّدٍ عَنْ أَبِيهِمَا: أَنَّ عَلِيّاً بَلَغَهُ أَنَّ رَجُلاً لاَ يَرَى بِالْمُتْعَةِ بَأْساً فَقَالَ: إِنَّكَ تَائِهٌ؛ إِنَّهُ نَهَى رَسُولُ ٱللَّهِ ﷺ عَنْهَا وَعَنْ لُحُومِ الْحُمُرِ الأَهْلِيَّةِ يَوْمَ خَيْبَرَ.

3363 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَٱللَّفْظُ لَه قَالَ: أَنْبَأَنَا ٱبْنُ الْقَاسِمِ عَنْ مَالِكٍ عَنِ ٱبْنِ شِهَابٍ عَنْ عَبْدِ ٱللَّهِ وَالْحَسَنِ ٱبْنَيْ مُحَمَّدِ بْنِ عَلِيٍّ عَنْ أَبِيهِمَا عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْ مُتْعَةِ النِّسَاءِ يَوْمَ خَيْبَرَ وَعَنْ لُحُومِ الْحُمُرِ الإِنْسِيَّةِ».

3364 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ وَمُحَمَّدُ بْنُ بَشَّارٍ وَمُحَمَّدُ بْنُ الْمُثَنَّى قَالُوا: أَنْبَأَنَا عَبْدُ الْوَهَّابِ قَالَ: سَمِعْتُ يَحْيَى بْنَ سَعِيدٍ يَقُولُ: أَخْبَرَنِي مَالِكُ بْنُ أَنَسٍ أَنَّ ٱبْنَ شِهَابٍ أَخْبَرَهُ أَنَّ عَبْدَ ٱللَّهِ وَالْحَسَنَ ٱبْنَيْ مُحَمَّدِ بْنِ عَلِيٍّ أَخْبَرَاهُ أَنَّ أَبَاهُمَا مُحَمَّدَ بْنَ عَلِيٍّ أَخْبَرَهُمَا أَنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ رَضِيَ ٱللَّهُ عَنْهُ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ يَوْمَ خَيْبَرَ عَنْ مُتْعَةِ النِّسَاءِ». قَالَ ٱبْنُ الْمُثَنَّى: يَوْمَ حُنَيْنٍ وَقَالَ: هٰكَذَا حَدَّثَنَا عَبْدُ الْوَهَابِ مِنْ كِتَابِهِ.

3365 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنِ الرَّبِيعِ بْنِ سَبْرَةَ الْجُهَنِيِّ عَنْ أَبِيهِ قَالَ: أَذِنَ رَسُولُ ٱللَّهِ ﷺ بِالْمُتْعَةِ فَانْطَلَقْتُ أَنَا وَرَجُلٌ إِلَى ٱمْرَأَةٍ مِنْ بَنِي عَامِرٍ فَعَرَضْنَا عَلَيْهَا أَنْفُسَنَا فَقَالَتْ: مَا تُعْطِينِي؟ فَقُلْتُ: رِدَائِي. وَقَالَ صَاحِبِي: رِدَائِي. وَكَانَ رِدَاءُ صَاحِبِي أَجْوَدَ مِنْ رِدَائِي. وَكُنْتُ أَشَبَّ مِنْهُ، فَإِذَا نَظَرَتْ إِلَى رِدَاءِ صَاحِبِي أَعْجَبَهَا وَإِذَا نَظَرَتْ إِلَيَّ أَعْجَبْتُهَا ثُمَّ قَالَتْ: أَنْتَ وَرِدَاؤُكَ يَكْفِينِي فَمَكَثْتُ مَعَهَا ثَلاَثاً ثُمَّ إِنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«مَنْ كَانَ عِنْدَهُ مِنْ هٰذِهِ النِّسَاءِ اللاَّتِي يَتَمَتَّعُ فَلْيُخَلِّ سَبِيلَهَا»**.

(72) ـ إِعْلاَنُ النِّكَاحِ بِالصَّوْتِ وَضَرْبِ الدُّفِّ

3366 ـ أَخْبَرَنَا مُجَاهِدُ بْنُ مُوسَى قَالَ: حَدَّثَنَا هُشَيْمٌ عَنْ أَبِي بَلْجٍ عَنْ مُحَمَّدِ بْنِ حَاطِبٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«فَصْلُ مَا بَيْنَ الْحَلاَلِ وَالْحَرَامِ**

"That which distinguishes what is lawful from what is unlawful as far as marriage is concerned is to (make it public by such things as) beating tambourine and (raising and making audible) the voice."

3367- It is narrated on the authority of Muhammad Ibn Hatib that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "That which distinguishes what is lawful from what is unlawful (as far as marriage is concerned) is to (make it public by such things as raising and making audible) the voice."

[73] The Supplication Said To Such As Marries

3368- It is narrated on the authority of Al-Hasan that he said: Aqil Ibn Abu Talib married a woman belonging to Banu Jushm, and they said (in congratulation): "Let it be (a cause of) mending your state (or consoling your heart) and having many children!" he said to them: You'd rather say the same as the Messenger of Allah "Allah's blessing and peace be upon him" said: "O Allah! Bless them, and send Your Blessing upon them!"

[74] The Supplication Of Such As Does Not See The Wedding Party

3369- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" saw the traces of yellowish scent on Abd Ar-Rahman Ibn Awf, and he asked him: "What is that?" he said: "I've got married to a woman for a date-stone's weight of gold (as dower)." He said to him: "Might Allah bless you! Make a wedding banquet even with a single sheep."

[75] The Concession To Apply Yellowish Scent On Marrying

3370- It is narrated on the authority of Anas that Abd Ar-Rahman Ibn Awf came while having the traces of saffron, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "What is that?" he said: "I've got married to a woman." He asked: "What dower have you given to her?" he said: "I've given her a date-stone's weight of gold." He said to him: "Make a wedding banquet even with a single sheep."

3371- It is narrated on the authority of Anas that he (Abd Ar-Rahman Ibn Awf) said: The Messenger of Allah "Allah's blessing and peace be upon him" saw the traces of yellowish scent on me, and he asked: "What is that?" I said: "I've got married to a woman from amongst the Ansar." He said to him: "Make a wedding banquet even with a single sheep."

الدُّفُّ وَالصَّوْتُ فِي النِّكَاحِ».

3367 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ عَنْ شُعْبَةَ عَنْ أَبِي بَلْجٍ قَالَ: سَمِعْتُ مُحَمَّدَ بْنَ حَاطِبٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «إِنَّ فَصْلَ مَا بَيْنَ الْحَلاَلِ وَالْحَرَامِ الصَّوْتُ».

(73) ـ كيف يُدْعَى للرَّجُلِ إذا تَزَوَّجَ

3368 ـ حَدَّثَنَا عَمْرُو بْنُ عَلِيٍّ وَمُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالاَ: حَدَّثَنَا خَالِدٌ عَنْ أَشْعَثَ عَنِ الْحَسَنِ قَالَ: تَزَوَّجَ عَقِيلُ بْنُ أَبِي طَالِبٍ ٱمْرَأَةً مِنْ بَنِي جَشَمٍ فَقِيلَ لَهُ بِالرِّفَاءِ وَالْبَنِينِ قَالَ: قُولُوا كَمَا قَالَ رَسُولُ ٱللَّهِ ﷺ: «بَارَكَ ٱللَّهُ فِيكُمْ وَبَارَكَ لَكُمْ».

(74) ـ دُعَاءُ مَنْ لم يَشْهَدِ التَّزْوِيجَ

3369 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنْ ثَابِتٍ عَنْ أَنَسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ رَأَى عَلَى عَبْدِ الرَّحْمٰنِ أَثَرَ صُفْرَةٍ فَقَالَ: «مَا هٰذَا؟» قَالَ: تَزَوَّجْتُ ٱمْرَأَةً عَلَى وَزْنِ نَوَاةٍ مِنْ ذَهَبٍ فَقَالَ: «بَارَكَ ٱللَّهُ لَكَ أَوْلِمْ وَلَوْ بِشَاةٍ».

(75) ـ الرُّخْصَةُ في الصُّفْرَةِ عند التَّزْوِيج

3370 ـ أَخْبَرَنَا أَبُو بَكْرِ بْنُ نَافِعٍ قَالَ: حَدَّثَنَا بَهْزُ بْنُ أَسَدٍ قَالَ: حَدَّثَنَا حَمَّادٌ قَالَ: حَدَّثَنَا ثَابِتٌ عَنْ أَنَسٍ: أَنَّ عَبْدَ الرَّحْمٰنِ بْنَ عَوْفٍ جَاءَ وَعَلَيْهِ رِدْعٌ مِنْ زَعْفَرَانٍ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «مَهْيَمْ؟» قَالَ: تَزَوَّجْتُ ٱمْرَأَةً قَالَ: «وَمَا أَصْدَقْتَ؟» قَالَ: وَزْنَ نَوَاةٍ مِنْ ذَهَبٍ قَالَ: «أَوْلِمْ وَلَوْ بِشَاةٍ».

3371 ـ أَخْبَرَنِي أَحْمَدُ بْنُ يَحْيَى بْنِ الْوَزِيرِ بْنِ سُلَيْمَانَ قَالَ: حَدَّثَنَا سَعِيدُ بْنُ كَثِيرِ بْنِ عُفَيْرٍ قَالَ: أَنْبَأَنَا سُلَيْمَانُ بْنُ بِلاَلٍ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ حُمَيْدٍ الطَّوِيلِ عَنْ أَنَسٍ قَالَ: رَأَى رَسُولُ ٱللَّهِ ﷺ عَلَيَّ كَأَنَّهُ يَعْنِي عَبْدَ الرَّحْمٰنِ بْنَ عَوْفٍ أَثَرَ صُفْرَةٍ فَقَالَ: «مَهْيَمْ؟» قَالَ: تَزَوَّجْتُ ٱمْرَأَةً مِنَ الأَنْصَارِ فَقَالَ: «أَوْلِمْ وَلَوْ بِشَاةٍ».

[76] What Makes Lawful One's Sitting Alone With A Woman

3372- It is narrated on the authority of Ibn Abbas that Ali said: When I got married to Fatimah, I said: "O Messenger of Allah! Allow me to consummate marriage with her." the Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Give her anything (of her dower before consummating marriage)." I said: "I have nothing to give her." He asked me: "Then, where is your Hitami (destructive) armour?" I said: "It is with me." He said: "Then, give it to her."

3373- It is narrated on the authority of Ibn Abbas that he said: When Ali got married to Fatimah, the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Give her anything (of her dower before consummating marriage)." He said: "I have nothing to give her." He asked him: "Then, where is your Hitami (destructive) armour?"

[77] Consummating Marriage In The Month Of Shawwal

3374- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" married me in the month of Shawwal, and I was made to enter his house (to consummate marriage with me) in the month of Shawwal. Which of his (the Prophet's) wives was dearer to him than I?

[78] Consummating Marriage With Such Of Girls As Has Attained The Age Of Nine

3375- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" married me when I was still six years old, and consummated marriage with me when I was nine years old, still playing with the toys.

3376- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" married her when she was still six years old, and consummated marriage with her when she was nine years old.

[79] Consummating Marriage On Journey

3377- It is narrated on the authority of Anas that he said: When Allah's Apostle "Allah's blessing and peace be upon him" invaded Khaibar, we offered the Fajr prayer there early in the morning when it was still dark. The Prophet "Allah's blessing and peace be upon him" rode and Abu Talhah rode too and I was riding behind Abu Talhah. The Prophet "Allah's blessing and peace be upon him" passed through the lane of Khaibar quickly and my knee was touching the thigh of The Prophet "Allah's blessing and peace be upon

(76) ـ نَحِلَةُ الخُلْوَةِ

3372 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا هِشَامُ بْنُ عَبْدِ الْمَلِكِ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ أَيُّوبَ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ عَلِيّاً قَالَ: تَزَوَّجْتُ فَاطِمَةَ رَضِيَ ٱللَّهُ عَنْهَا فَقُلْتُ: يَا رَسُولَ ٱللَّهِ ابْنِ بِي قَالَ: «**اعْطِهَا شَيْئاً**» قُلْتُ: مَا عِنْدِي مِنْ شَيْءٍ قَالَ: «**فَأَيْنَ دِرْعُكَ الْحُطَمِيَّةُ؟**» قُلْتُ: هِيَ عِنْدِي قَالَ: «**فَأَعْطِهَا إِيَّاهُ**».

3373 ـ أَخْبَرَنَا هَارُونُ بْنُ إِسْحَاقَ عَنْ عَبْدَةَ عَنْ سَعِيدٍ عَنْ أَيُّوبَ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ قال: لَمَّا تَزَوَّجَ عَلِيٌّ رَضِيَ ٱللَّهُ عَنْهُ فَاطِمَةَ رَضِيَ ٱللَّهُ عَنْهَا قَالَ لَهُ رَسُولُ ٱللَّهِ ﷺ: «**اعْطِهَا شَيْئاً**» قَالَ: مَا عِنْدِي قَالَ: «**فَأَيْنَ دِرْعُكَ الْحُطَمِيَّةُ؟**».

(77) ـ البِنَاءُ فِي شَوَّال

3374 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا وَكِيعٌ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ إِسْمَاعِيلَ بْنِ أُمَيَّةَ عَنْ عَبْدِ ٱللَّهِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: «تَزَوَّجَنِي رَسُولُ ٱللَّهِ ﷺ فِي شَوَّالٍ وَأُدْخِلْتُ عَلَيْهِ فِي شَوَّالٍ فَأَيُّ نِسَائِهِ كَانَ أَحْظَى عِنْدَهُ مِنِّي».

(78) ـ البناءُ بابْنَةِ تِسْعٍ

3375 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ آدَمَ عَنْ عَبْدَةَ عَنْ هِشَامٍ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: «تَزَوَّجَنِي رَسُولُ ٱللَّهِ ﷺ وَأَنَا بِنْتُ سِتٍّ وَدَخَلَ عَلَيَّ وَأَنَا بِنْتُ تِسْعِ سِنِينَ وَكُنْتُ أَلْعَبُ بِالْبَنَاتِ».

3376 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سَعْدِ بْنِ الْحَكَمِ بْنِ أَبِي مَرْيَمَ قَالَ: حَدَّثَنَا عَمِّي قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَيُّوبَ قَالَ: أَخْبَرَنِي عُمَارَةُ بْنُ غَزِيَّةَ عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ عَائِشَةَ قَالَتْ: «تَزَوَّجَنِي رَسُولُ ٱللَّهِ ﷺ وَهِيَ بِنْتُ سِتٍّ سِنِينَ وَبَنَى بِهَا وَهِيَ بِنْتُ تِسْعٍ».

(79) ـ البناءُ في السَّفَرِ

3377 ـ أَخْبَرَنَا زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ قَالَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ صُهَيْبٍ عَنْ أَنَسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ غَزَا خَيْبَرَ فَصَلَّيْنَا عِنْدَهَا الْغَدَاةَ بِغَلَسٍ فَرَكِبَ النَّبِيُّ ﷺ وَرَكِبَ أَبُو طَلْحَةَ وَأَنَا رَدِيفُ أَبِي طَلْحَةَ، فَأَخَذَ نَبِيُّ ٱللَّهِ ﷺ فِي زُقَاقِ خَيْبَرَ وَإِنَّ رُكْبَتِي لَتَمَسُّ فَخِذَ رَسُولِ ٱللَّهِ ﷺ وَإِنِّي لأَرَى بَيَاضَ فَخِذِ

him". He uncovered his thigh and I saw the whiteness of the thigh of The Prophet "Allah's blessing and peace be upon him". When he entered the town, he said: "Allah is greater! Khaibar is ruined. Whenever we approach near a (hostile) nation (to fight) then evil will be the morning of those who have been warned." He repeated this thrice. The people came out for their jobs and some of them said: "Mohammad (has come)." (Some of our companions added, "With his army.") We conquered Khaibar, took the captives, and the booty was collected. Dihyah came and said: "O Allah's Prophet! Give me a slave-girl from the captives." The Prophet "Allah's blessing and peace be upon him" said: "Go and take any slave-girl." He took Safiyyah Bint Huyai. A man came to The Prophet "Allah's blessing and peace be upon him" and said: "O Allah's Apostle! You gave Safiyyah Bint Huyai to Dihyah; she is the chief mistress of the tribes of Quraizhah and An-Nadir, and she befits none but you." So The Prophet "Allah's blessing and peace be upon him" said: "Bring him along with her." Dihyah came with her. When The Prophet "Allah's blessing and peace be upon him" saw her, he said to Dihyah: "Take any slave-girl from the captives other than her." Anas added: The Prophet "Allah's blessing and peace be upon him" then manumitted and married her. Anas was asked: "O Abu Hamzah! What was her dower?" he answered: "Her dower was that she was manumitted." Anas added: "While on the way, Umm Sulaim dressed her for marriage (ceremony) and at night she sent her as a bride to The Prophet "Allah's blessing and peace be upon him". Being a bridegroom, The Prophet "Allah's blessing and peace be upon him" said: "Whoever has anything (of food) should bring it." He spread out a leather sheet (for the food) and some brought dates and others cooking butter. So, they prepared a great deal of food. That was the marriage banquet of Allah's Apostle "Allah's blessing and peace be upon him".

3378- It is narrated on the authority of Anas that he said: Allah's Apostle "Allah's blessing and peace be upon him" spent three days when he consummated marriage with Safiyyah Bint Huyai on the road of Khaibar, and then she came to be of those (his wives) over whom veil was drawn (since she became one of the Mothers of the Believers).

3379- It is narrated on the authority of Anas that he said: Allah's Apostle "Allah's blessing and peace be upon him" spent three days with Safiyyah Bint Huyai when he consummated marriage with her, on the way between Khaibar and Medina. I invited the Muslims to his marriage banquet, in which there was no bread nor meat, but he ordered that leather sheets be spread, over which dates, cottage cheese and ghee were placed, and this was his

نَبِيِّ ٱللَّهِ ﷺ فَلَمَّا دَخَلَ الْقَرْيَةَ قَالَ: «**ٱللَّهُ أَكْبَرُ خَرِبَتْ خَيْبَرُ إِنَّا إِذَا نَزَلْنَا بِسَاحَةِ قَوْمٍ فَسَاءَ صَبَاحُ الْمُنْذَرِينَ**» قَالَهَا ثَلاَثَ مَرَّاتٍ قَالَ: وَخَرَجَ الْقَوْمُ إِلَى أَعْمَالِهِمْ، قَالَ عَبْدُ الْعَزِيزِ: فَقَالُوا: مُحَمَّدٌ، قَالَ عَبْدُ الْعَزِيزِ: وَقَالَ بَعْضُ أَصْحَابِنَا وَالْخَمِيسُ وَأَصَبْنَاهَا عَنْوَةً فَجَمَعَ السَّبْيَ فَجَاءَ دَحْيَةُ فَقَالَ: يَا نَبِيَّ ٱللَّهِ أَعْطِنِي جَارِيَةً مِنَ السَّبْيِ قَالَ: «**ٱذْهَبْ فَخُذْ جَارِيَةً**» فَأَخَذَ صَفِيَّةَ بِنْتَ حُيَيٍّ فَجَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا نَبِيَّ ٱللَّهِ أَعْطَيْتَ دَحْيَةَ صَفِيَّةَ بِنْتَ حُيَيٍّ سَيِّدَةَ قُرَيْظَةَ وَالنَّضِيرِ مَا تَصْلُحُ إِلاَّ لَكَ قَالَ: «**ٱدْعُوهُ بِهَا**». فَجَاءَ بِهَا فَلَمَّا نَظَرَ إِلَيْهَا النَّبِيُّ ﷺ قَالَ: «**خُذْ جَارِيَةً مِنَ السَّبْيِ غَيْرَهَا**» قَالَ: وَإِنَّ نَبِيَّ ٱللَّهِ ﷺ أَعْتَقَهَا وَتَزَوَّجَهَا فَقَالَ لَهُ ثَابِتٌ: يَا أَبَا حَمْزَةَ ما أَصْدَقَهَا قَالَ: نَفْسَهَا أَعْتَقَهَا وَتَزَوَّجَهَا قَالَ: حَتَّى إِذَا كَانَ بِالطَّرِيقِ جَهَّزَتْهَا لَهُ أُمُّ سُلَيْمٍ فَأَهْدَتْهَا إِلَيْهِ مِنَ اللَّيْلِ فَأَصْبَحَ عَرُوساً قَالَ: «**مَنْ كَانَ عِنْدَهُ شَيْءٌ فَلْيَجِيءْ بِهِ**» قَالَ: وَبَسَطَ نِطَعاً فَجَعَلَ الرَّجُلُ يَجِيءُ بِالأَقِطِ وَجَعَلَ الرَّجُلُ يَجِيءُ بِالتَّمْرِ وَجَعَلَ الرَّجُلُ يَجِيءُ بِالسَّمْنِ فَحَاسُوا حَيْسَةً فَكَانَتْ وَلِيمَةَ رَسُولِ ٱللَّهِ ﷺ.

3378 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ نَصْرٍ قَالَ: حَدَّثَنَا أَيُّوبُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنِي أَبُو بَكْرِ بْنُ أَبِي أُوَيْسٍ عَنْ سُلَيْمَانَ بْنِ بِلاَلٍ عَن يَحْيَى عَنْ حُمَيْدٍ أَنَّهُ سَمِعَ أَنَساً يَقُولُ: إِنَّ رَسُولَ ٱللَّهِ ﷺ أَقَامَ عَلَى صَفِيَّةَ بِنْتِ حُيَيِّ بْنِ أَخْطَبَ بِطَرِيقِ خَيْبَرَ ثَلاَثَ أَيَّامٍ حِينَ عَرَّسَ بِهَا ثُمَّ كَانَتْ فِيمَنْ ضُرِبَ عَلَيْهَا الْحِجَابُ.

3379 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنَا حُمَيْدٌ عَنْ أَنَسٍ قَالَ: أَقَامَ النَّبِيُّ ﷺ بَيْنَ خَيْبَرَ وَالْمَدِينَةِ ثَلاَثاً يَبْنِي بِصَفِيَّةَ بِنْتِ حُيَيٍّ فَدَعَوْتُ الْمُسْلِمِينَ إِلَى وَلِيمَتِهِ فَمَا كَانَ فِيهَا مِنْ خُبْزٍ وَلاَ لَحْمٍ أَمَرَ بِالأَنْطَاعِ وَأَلْقَى عَلَيْهَا مِنَ التَّمْرِ وَالأَقِطِ وَالسَّمْنِ فَكَانَتْ وَلِيمَتَهُ فَقَالَ الْمُسْلِمُونَ:

marriage banquet. The Muslims wondered whether she was one of the Mothers of the Believers (i.e. his wives) or those whom his right hand possessed, and they said: "If he draws the veil over her, she then is one of the Mothers of the Believers; and if he draws not the veil over her, she is one of those whom his right hand possesses." When he set out, he prepared a place behind him for her and drew the veil between her and the people.

[80] Amusement And Singing At The Time Of Bridal

3380- It is narrated on the authority of Amir Ibn Sa'd that he said: I entered and found both Quraizhah Ibn Ka'b and Abu Mas'ud Al-Ansari in a bridal, in which there were slave-girls singing. I said: "How should this amusement be done in your presence, even though you are from amongst the companions of Allah's Apostle "Allah's blessing and peace be upon him"?" they said: "Sit and listen to that with us if you so like, or leave if you so like: we are given concession pertaining to amusement at the time of bridal."

[81] A Man Prepares His Daughter (For Marriage)

3381- It is narrated on the authority of Ali that he said: Allah's Apostle "Allah's blessing and peace be upon him" prepared his daughter Fatimah (for marriage) with (a piece of) amaranth, water-skin and a cushion stuffed with Idhkhir (good smelling grass).

[82] What About The Bed?

3382- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(It is enough to have) a bed for the man, another for the woman, a third for the guest, and (if there is) fourth, it is then for Satan" (since in this case it will be beyond the need, by way of showing pride and glory, which is condemned, and anything that is condemned should be ascribed to Satan).

[83] The Carpets

3383- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" asked me: "Have you got married?" I answered in the affirmative. He further asked: "Have you got carpets?" I said: "From where should we do (since we are very poor)?" on that he said: "No doubt, it will be (that you will take carpets Allah Willing)."

[84] The Gift To Be Given To The Bride

3384- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" got married, and consummated marriage with his wife, and my mother Umm Sulaim

إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ أَوْ مِمَّا مَلَكَتْ يَمِينُهُ فَقَالُوا: إِنْ حَجَبَهَا فَهِيَ مِنْ أُمَّهَاتِ الْمُؤْمِنِينَ وَإِنْ لَمْ يَحْجُبْهَا فَهِيَ مِمَّا مَلَكَتْ يَمِينُهُ فَلَمَّا ٱرْتَحَلَ وَطَّأَ لَهَا خَلْفَهُ وَمَدَّ الْحِجَابَ بَيْنَهَا وَبَيْنَ النَّاسِ.

(80) ـ اللَّهْوُ والغِنَاءُ عند العُرْسِ

3380 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا شَرِيكٌ عَنْ أَبِي إِسحَاقَ عَنْ عَامِرِ بْنِ سَعْدٍ قَالَ: دَخَلْتُ عَلَى قُرَظَةَ بْنِ كَعْبٍ وَأَبِي مَسْعُودٍ الأَنْصَارِيِّ فِي عُرْسٍ وَإِذَا جَوَارٍ يُغَنِّينَ فَقُلْتُ: أَنْتُمَا صَاحِبَا رَسُولِ ٱللَّهِ ﷺ وَمِنْ أَهْلِ بَدْرٍ يُفْعَلُ هٰذَا عِنْدَكُمْ فَقَالَ: اجْلِسْ إِنْ شِئْتَ فَاسْمَعْ مَعَنَا وَإِنْ شِئْتَ ٱذْهَبْ قَدْ رُخِّصَ لَنَا فِي اللَّهْوِ عِنْدَ الْعُرْسِ.

(81) ـ جهازُ الرَّجُلِ ابْنَتَهُ

3381 ـ أَخْبَرَنَا نَصِيرُ بْنُ الْفَرَجِ قَالَ: حَدَّثَنَا أَبُو أُسَامَةَ عَنْ زَائِدَةَ قَالَ: حَدَّثَنَا عَطَاءُ بْنُ السَّائِبِ عَنْ أَبِيهِ عَنْ عَلِيٍّ رَضِيَ ٱللَّهُ عَنْهُ قَالَ: «جَهَّزَ رَسُولُ ٱللَّهِ ﷺ فَاطِمَةَ فِي خَمِيلٍ وَقِرْبَةٍ وَوِسَادَةٍ حَشْوُهَا إِذْخِرٌ».

(82) ـ الفَرْشُ

3382 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي أَبُو هَانِىءٍ الْخَوْلَانِيُّ أَنَّهُ سَمِعَ أَبَا عَبْدِ الرَّحْمٰنِ الْحُبُلِيَّ يَقُولُ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«فِرَاشٌ لِلرَّجُلِ وَفِرَاشٌ لأَهْلِهِ وَالثَّالِثُ لِلضَّيْفِ وَالرَّابِعُ لِلشَّيْطَانِ»**.

(83) ـ الأَنْمَاطُ

3383 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ ٱبْنِ الْمِنْكَدِرِ عَنْ جَابِرٍ قَالَ: قَالَ لِي رَسُولُ ٱللَّهِ ﷺ: **«هَلْ تَزَوَّجْتَ؟»** قُلْتُ: نَعَمْ قَالَ: **«هَلِ ٱتَّخَذْتُمْ أَنْمَاطاً؟»** قُلْتُ: وَأَنَّى لَنَا أَنْمَاطٌ؟ قَالَ: **«إِنَّهَا سَتَكُونُ»**.

(84) ـ الهَدِيَّةُ لمن عَرَّسَ

3384 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا جَعْفَرٌ وَهُوَ ٱبْنُ سُلَيْمَانَ عَنِ الْجَعْدِ أَبِي عُثْمَانَ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: تَزَوَّجَ رَسُولُ ٱللَّهِ ﷺ فَدَخَلَ بِأَهْلِهِ قَالَ: وَصَنَعَتْ أُمِّي أُمُّ سُلَيْمٍ

prepared a sweet dish (made of dates, butter and dried yogurt), and I brought it to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "My mother Umm Sulaim pays salutation to you, and says: "This (gift) is a little thing from us to you." He ordered me to put it down and said: "Go and invite so and so, so and so, and whomever you meet." He named many (to be invited). I invited such as he named, and such as I met (on the way). I (the sub-narrator) asked Anas: "How many were they at that time?" he said: "Nearly three hundred." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let each ten after the other sit in a circle-shape, and let each one eat of what is near to him (in the dish)." They ate their fill, and a group after the other went on entering and coming out. He said to me: "O Anas! Lift it!" I did not know whether it was more (in quantity) when I lifted it than it was when I put it down or vice versa.

3385- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" held a bond of brotherhood between the Quraish (who emigrated to Medina) and the Ansar. He held a bond of brotherhood between Sa'd Ibn Ar-Rabie (from the Ansar) and Abd Ar-Rahman Ibn Awf (from the Quraish). Sa'd Ibn Ar-Rabie said to Abd Ar-Rahman: "I've got property: let it be in halves between both you and me; and I've got two wives: look at them, and I shall divorce whichever of them appeals you, and when she (finishes the period of her Iddat and) becomes lawful for marriage, you might marry her." He said to him: "Might Allah bless you in your property and wives. But you'd rather guide me to the market." He did not return (from the market) until he brought with him ghee and cottage cheese, which he profited (out of trade). He further said: The Messenger of Allah "Allah's blessing and peace be upon him" saw the traces of yellowish scent on me, and he asked: "What is that?" I said: "I've got married to a woman from amongst the Ansar." He said to him: "Make a wedding banquet even with a single sheep."

حَيْساً قَالَ: فَذَهَبَتْ بِهِ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقُلْتُ: إِنَّ أُمِّي تُقْرِئُكَ السَّلاَمَ وَتَقُولُ لَكَ إِنَّ هٰذَا لَكَ مِنَّا قَلِيلٌ قَالَ: «ضَعْهُ» ثُمَّ قَالَ: «**اذْهَبْ فَادْعُ فُلاَناً وَفُلاَناً وَمَنْ لَقِيتَ**» وَسَمَّى رِجَالاً فَدَعَوْتُ مَنْ سَمَّى وَمَنْ لَقِيتُهُ قُلْتُ لأَنَسٍ: عِدَّةُ كَمْ كَانُوا؟ قَالَ: يَعْنِي زُهَاءَ ثَلاَثِمِائَةٍ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**لِيَتَحَلَّقْ عَشَرَةٌ فَلْيَأْكُلْ كُلُّ إِنْسَانٍ مِمَّا يَلِيهِ**». فَأَكَلُوا حَتَّى شَبِعُوا فَخَرَجَتْ طَائِفَةٌ وَدَخَلَتْ طَائِفَةٌ قَالَ لِي: «**يَا أَنَسُ ٱرْفَعْ**» فَرَفَعْتُ فَمَا أَدْرِي حِينَ رَفَعْتُ كَانَ أَكْثَرَ أَمْ حِينَ وَضَعْتُ.

3385 ـ أَخْبَرَنَا أَحْمَدُ بْنُ يَحْيَى بْنِ الْوَزِيرِ قَالَ: حَدَّثَنَا سَعِيدُ بْنُ كَثِيرِ بْنِ عُفَيْرٍ قَالَ: أَخْبَرَنِي سُلَيْمَانُ بْنُ بِلاَلٍ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ حُمَيْدٍ الطَّوِيلِ عَنْ أَنَسٍ أَنَّهُ سَمِعَهُ يَقُولُ: آخَى رَسُولُ ٱللَّهِ ﷺ بَيْنَ قُرَيْشٍ وَالأَنْصَارِ فَآخَى بَيْنَ سَعْدِ بْنِ الرَّبِيعِ وَعَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ فَقَالَ لَهُ سَعْدٌ: إِنَّ لِي مَالاً فَهُوَ بَيْنِي وَبَيْنَكَ شَطْرَانِ وَلِي ٱمْرَأَتَانِ فَٱنْظُرْ أَيُّهُمَا أَحَبُّ إِلَيْكَ فَأَنَا أُطَلِّقُهَا فَإِذَا حَلَّتْ فَتَزَوَّجْهَا قَالَ: بَارَكَ ٱللَّهُ لَكَ فِي أَهْلِكَ وَمَالِكَ دُلُّونِي أَيْ عَلَى السُّوقِ فَلَمْ يَرْجِعْ حَتَّى رَجَعَ بِسَمْنٍ وَأَقِطٍ قَدْ أَفْضَلَهُ قَالَ: وَرَأَى رَسُولُ ٱللَّهِ ﷺ عَلَيَّ أَثَرَ صُفْرَةٍ فَقَالَ: «**مَهْيَمْ؟**» فَقُلْتُ: تَزَوَّجْتُ ٱمْرَأَةً مِنَ الأَنْصَارِ فَقَالَ: «**أَوْلِمْ وَلَوْ بِشَاةٍ**».

(27) THE BOOK OF DIVORCE

[1] The Due Time Of Divorce On The Basis Of The Prescribed Period Fixed By Allah For Women Meant To Be Divorced

3386- It is narrated on the authority of Nafi' from Abdullah Ibn Umar that he had divorced his wife while she was menstruating. Umar Ibn Al-Khattab sought the verdict of Allah's Apostle "Allah's blessing and peace be upon him" about that. Allah's Apostle "Allah's blessing and peace be upon him" said: "Order Abdullah to take her back and keep her till she is clean and then to wait till she gets her next period and becomes clean again. If he wishes to divorce her he can divorce her before approaching her; and if he wishes to keep her, he can do so: that is the prescribed period fixed by Allah Almighty for the women meant to be divorced."

3387- It is narrated on the authority of Ibn Umar that he had divorced his wife while she was menstruating during the lifetime of Allah's Apostle "Allah's blessing and peace be upon him". Umar Ibn Al-Khattab asked Allah's Apostle "Allah's blessing and peace be upon him" about that. Allah's Apostle "Allah's blessing and peace be upon him" said: "Order him (your son) to take her back and keep her till she is clean and then to wait till she gets her next period and becomes clean again. If he wishes to keep her, he can do so. If he wishes to divorce her he can divorce her before approaching her; and that is the prescribed period fixed by Allah for the women meant to be divorced."

3388- It is narrated on the authority of Az-Zuhri that he was asked about the prescribed period fixed for women meant to be divorced, thereupon he said: Salim Ibn Abdullah related to me from his father Ibn Umar that he said: I divorced my wife while she was menstruating during the lifetime of Allah's Apostle "Allah's blessing and peace be upon him". Umar Ibn Al-Khattab made a mention of that to Allah's Apostle "Allah's blessing and peace be upon him", thereupon Allah's Apostle "Allah's blessing and peace be upon him" grew angry and said: "Order him (your son) to take her back and keep her till she (is clean and then to wait till she) gets her next period and then becomes clean again. If it seems to him to divorce her he can divorce her while she is clean, before approaching her; and that is the prescribed period fixed by Allah Almighty for the women meant to be divorced." Abdullah Ibn Umar said: I brought her back, and counted for her the first divorce, which I had pronounced.

3389- It is narrated on the authority of Abu Az-Zubair that Abd Ar-Rahman Ibn Ayman (the freed slave of Urwah) asked Ibn Umar, while Abu

(27) ـ كِتَابُ الطَّلاقِ

(1) ـ بابُ وَقْتِ الطَّلاقِ للعِدَّةِ الَّتي أَمَرَ الله عزَّ وجلَّ أنْ تُطَلَّقَ لها النِّسَاءُ

3386 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ السَّرَخْسِيُّ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ الْقَطَّانُ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عُمَرَ قَالَ: أَخْبَرَنِي نَافِعٌ عَنْ عَبْدِ اللَّهِ أَنَّهُ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَٱسْتَفْتَى عُمَرُ رَسُولَ ٱللَّهِ ﷺ فَقَالَ: إِنَّ عَبْدَ ٱللَّهِ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَقَالَ: **«مُرْ عَبْدَ ٱللَّهِ فَلْيُرَاجِعْهَا ثُمَّ يَدَعْهَا حَتَّى تَطْهُرَ مِنْ حَيْضَتِهَا هٰذِهِ ثُمَّ تَحِيضَ حَيْضَةً أُخْرَى فَإِذَا طَهُرَتْ فَإِنْ شَاءَ فَلْيُفَارِقْهَا قَبْلَ أَنْ يُجَامِعَهَا وَإِنْ شَاءَ فَلْيُمْسِكْهَا فَإِنَّهَا الْعِدَّةُ الَّتِي أَمَرَ ٱللَّهُ عَزَّ وَجَلَّ أَنْ تُطَلَّقَ لَهَا النِّسَاءُ»**.

3387 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: أَنْبَأَنَا ٱبْنُ الْقَاسِمِ عَنْ مَالِكٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: أَنَّهُ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فِي عَهْدِ رَسُولِ ٱللَّهِ ﷺ فَسَأَلَ عُمَرُ بْنُ الْخَطَّابِ رَضِيَ ٱللَّهُ عَنْهُ رَسُولَ ٱللَّهِ ﷺ عَنْ ذٰلِكَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«مُرْهُ فَلْيُرَاجِعْهَا ثُمَّ لْيُمْسِكْهَا حَتَّى تَطْهُرَ ثُمَّ تَحِيضَ ثُمَّ تَطْهُرَ ثُمَّ إِنْ شَاءَ أَمْسَكَ بَعْدُ وَإِنْ شَاءَ طَلَّقَ قَبْلَ أَنْ يَمَسَّ فَتِلْكَ الْعِدَّةُ الَّتِي أَمَرَ ٱللَّهُ عَزَّ وَجَلَّ أَنْ تُطَلَّقَ لَهَا النِّسَاءُ»**.

3388 ـ أَخْبَرَنِي كَثِيرُ بْنُ عُبَيْدٍ عَنْ مُحَمَّدِ بْنِ حَرْبٍ قَالَ: حَدَّثَنَا الزُّبَيْدِيُّ قَالَ: سُئِلَ الزُّهْرِيُّ كَيْفَ الطَّلاَقُ لِلْعِدَّةِ؟ فَقَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ ٱللَّهِ بْنِ عُمَرَ أَنَّ عَبْدَ ٱللَّهِ بْنَ عُمَرَ قَالَ: طَلَّقْتُ ٱمْرَأَتِي فِي حَيَاةِ رَسُولِ ٱللَّهِ ﷺ وَهِيَ حَائِضٌ فَذَكَرَ ذٰلِكَ عُمَرُ لِرَسُولِ ٱللَّهِ ﷺ فَتَغَيَّظَ رَسُولُ ٱللَّهِ ﷺ فِي ذٰلِكَ فَقَالَ: **«لِيُرَاجِعْهَا ثُمَّ يُمْسِكْهَا حَتَّى تَحِيضَ حَيْضَةً وَتَطْهُرَ فَإِنْ بَدَا لَهُ أَنْ يُطَلِّقَهَا طَاهِراً قَبْلَ أَنْ يَمَسَّهَا فَذَاكَ الطَّلاَقُ لِلْعِدَّةِ كَمَا أَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ»**. قَالَ عَبْدُ ٱللَّهِ بْنُ عُمَرَ: فَرَاجَعْتُهَا وَحَسَبْتُ لَهَا التَّطْلِيقَةَ الَّتِي طَلَّقْتُهَا.

3389 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ وَعَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ تَمِيمٍ عَنْ حَجَّاجٍ قَالَ: قَالَ ٱبْنُ جُرَيْجٍ: أَخْبَرَنِي أَبُو الزُّبَيْرِ أَنَّهُ سَمِعَ عَبْدَ الرَّحْمٰنِ بْنَ أَيْمَنَ يَسْأَلُ ٱبْنَ

Az-Zubair was listening: "What do you think of a man who divorced his wife while she was menstruating?" he said: Abdullah Ibn Umar had divorced his wife while she was menstruating during the lifetime of Allah's Apostle "Allah's blessing and peace be upon him". Umar asked Allah's Apostle " Allah's blessing and peace be upon him " about that saying: "Abdullah Ibn Umar divorced his wife, while she was menstruating (what is your religious verdict as regards this matter)?" Allah's Apostle " Allah's blessing and peace be upon him " said: "Let him (your son) take her back." He (the Prophet) caused him to take her back (and did not consider such divorce during menses of significance). He (the Prophet) said: "When she becomes clean, let him divorce (her if he so wishes), or keep (her if he so wishes)." Ibn Umar said: Then, The Prophet "Allah's blessing and peace be upon him" recited: "O Prophet! When you do divorce women, divorce them at their prescribed periods, and count (accurately) their prescribed periods: and fear Allah your Lord."

3390- It is narrated on the authority of Ibn Abbas that he said in comment on Allah's saying: "O Prophet! When you do divorce women, divorce them at their prescribed periods, and count (accurately) their prescribed periods: and fear Allah your Lord": "It refers to the first portion of such prescribed period.

[2] The Divorce According To The Right Way Of Sunnah

3391- It is narrated on the authority of Abdullah that he said: The (Final irrevocable) divorce according to the right way of sunnah (for such as likes to do it, even though it is of the lawful things most loathsome in the Sight of Allah) is to pronounce divorce once when one's wife is clean before approaching her (after getting pure from menses), and then when she gets menses and becomes clean, he might divorce her once again, and when she gets menses and then becomes clean, he might divorce her for the third time, after which, she should fulfill the period of her Iddat by one menses. Al-A'mash said: I asked Ibrahim about that narration, and he told me the same.

3392- It is narrated on the authority of Abdullah that he said: The (Final irrevocable) divorce according to the right way of sunnah (for such as likes to do it, even though it is of the lawful things most loathsome in the Sight of Allah) is to divorce one's wife when she is clean before approaching her (after getting pure from menses).

[3] What One Should Do If He Divorces His Wife Once While She Is Menstruating?

3393- It is narrated on the authority of Nafi' from Abdullah Ibn Umar that he had divorced his wife while she was menstruating. Umar Ibn Al-Khattab

عُمَرَ وَأَبُو الزُّبَيْرِ يَسْمَعُ كَيْفَ تَرَى فِي رَجُلٍ طَلَّقَ ٱمْرَأَتَهُ حَائِضاً فَقَالَ لَهُ: طَلَّقَ عَبْدُ ٱللَّهِ بْنُ عُمَرَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ فَسَأَلَ عُمَرُ رَسُولَ ٱللَّهِ ﷺ فَقَالَ: إِنَّ عَبْدَ ٱللَّهِ بْنَ عُمَرَ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**لِيُرَاجِعْهَا**» فَرَدَّهَا عَلَيَّ قَالَ: «**إِذَا طَهُرَتْ فَلْيُطَلِّقْ أَوْ لِيُمْسِكْ**» قَالَ ٱبْنُ عُمَرَ فَقَالَ النَّبِيُّ ﷺ: «**يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ فِي قُبُلِ عِدَّتِهِنَّ**».

3390 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنِ الْحَكَمِ قَالَ: سَمِعْتُ مُجَاهِداً يُحَدِّثُهُ عَنِ ٱبْنِ عَبَّاسٍ: فِي قَوْلِهِ عَزَّ وَجَلَّ ﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ إِذَا طَلَّقْتُمُ ٱلنِّسَآءَ فَطَلِّقُوهُنَّ لِعِدَّتِهِنَّ﴾ [الطلاق، الآية: 1] قَالَ ٱبْنُ عَبَّاسٍ رَضِيَ ٱللَّهُ عَنْهُ: قُبُلِ عِدَّتِهِنَّ.

(2) ـ بابُ طَلاقِ السُّنَّةِ

3391 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ يَحْيَى بْنِ أَيُّوبَ قَالَ: حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ قَالَ: حَدَّثَنَا الأَعْمَشُ عَنْ أَبِي إِسْحَاقَ عَنْ أَبِي الأَحْوَصِ عَنْ عَبْدِ ٱللَّهِ أَنَّهُ قَالَ: طَلاَقُ السُّنَّةِ تَطْلِيقَةٌ وَهِيَ طَاهِرٌ فِي غَيْرِ جَمَاعٍ فَإِذَا حَاضَتْ وَطَهُرَتْ طَلَّقَهَا أُخْرَى فَإِذَا حَاضَتْ وَطَهُرَتْ طَلَّقَهَا أُخْرَى ثُمَّ تَعْتَدُّ بَعْدَ ذٰلِكَ بِحَيْضَةٍ. قَالَ الأَعْمَشُ: سَأَلْتُ إِبْرَاهِيمَ فَقَالَ مِثْلَ ذٰلِكَ.

3392 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى عَنْ سُفْيَانَ عَنْ أَبِي إِسْحَاقَ عَنْ أَبِي الأَحْوَصِ عَنْ عَبْدِ ٱللَّهِ قَالَ: «طَلاَقُ السُّنَّةِ أَنْ يُطَلِّقَهَا طَاهِراً فِي غَيْرِ جِمَاعٍ».

(3) ـ بابٌ ما يَفْعَلُ إذا طَلَّقَ تَطْلِيقَةً وهي حَائِضٌ؟

3393 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا الْمُعْتَمِرُ قَالَ: سَمِعْتُ عُبَيْدَ ٱللَّهِ بْنَ عُمَرَ عَنْ نَافِعٍ عَنْ عَبْدِ ٱللَّهِ: أَنَّهُ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ تَطْلِيقَةً فَانْطَلَقَ

set out in order to seek the verdict of Allah's Apostle "Allah's blessing and peace be upon him" about that. Allah's Apostle "Allah's blessing and peace be upon him" said: "Order Abdullah to take her back and keep her till she takes bath (and becomes clean from her menses), and then to let her till she gets her next period and when she takes bath (and becomes clean) from her other menses, let not him approach her before he divorces her (if he so likes); and if he wishes to keep her, he can do so: that is the prescribed period fixed by Allah Almighty for the women meant to be divorced."

3394- It is narrated on the authority of Salim that Ibn Umar divorced his wife while she was menstruating, and when Umar made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him", the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Tell him to bring her back and then divorce her (if he so likes) once she gets clean or while she is pregnant."

[4] The Divorce Far From The Prescribed Period

3395- It is narrated on the authority of Sa'id Ibn Jubair that Ibn Umar divorced his wife while she was menstruating, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" made him bring her back, (and he kept her) until he divorced her while she was clean (from menses, without having sexual relation with her).

[5] The Divorce Far From The Prescribed Period, And What Is Counted Out Of It Upon Such As Pronounces Divorce

3396- it is narrated on the authority of Yunus Ibn Jubair that he said: I asked Ibn Umar about a man who divorced his wife while she was menstruating, and he said: Do you know Abdullah Ibn Umar? Abdullah Ibn Umar divorced his wife once, while she was menstruating. Then, Umar went to the Messenger of Allah "Allah's blessing and peace be upon him" and asked for his verdict, thereupon he said: "Tell him to take her back (and keep her until she is clean) and then divorce her (if he so likes) at the beginning of her prescribed period (before approaching her)." I (Yunus) asked: "Was it counted (as valid one divorce)?" he (Ibn Umar) said: "What would it be then (if it was not counted)? What would you think if someone became helpless (to take her back) and foolish?"

3397- It is narrated on the authority of Yunus Ibn Jubair that he said: I asked Ibn Umar about a man who divorced his wife while she was menstruating, and he said: Do you know Abdullah Ibn Umar? He divorced his wife once, while she was menstruating. Then, Umar went to the Messenger of Allah "Allah's blessing and peace be upon him" and asked for

عُمَرُ فَأَخْبَرَ النَّبِيُّ ﷺ بِذٰلِكَ فَقَالَ لَهُ النَّبِيُّ ﷺ: «مُرْ عَبْدَ ٱللَّهِ فَلْيُرَاجِعْهَا فَإِذَا ٱغْتَسَلَتْ فَلْيَتْرُكْهَا حَتَّى تَحِيضَ فَإِذَا ٱغْتَسَلَتْ مِنْ حَيْضَتِهَا الأُخْرَى فَلاَ يَمَسَّهَا حَتَّى يُطَلِّقَهَا فَإِنْ شَاءَ أَنْ يُمْسِكَهَا فَلْيُمْسِكْهَا فَإِنَّهَا الْعِدَّةُ الَّتِي أَمَرَ ٱللَّهُ عَزَّ وَجَلَّ أَنْ تُطَلَّقَ لَهَا النِّسَاءُ».

3394 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا وَكِيعٌ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ مَوْلَى طَلْحَةَ عَنْ سَالِمِ بْنِ عَبْدِ ٱللَّهِ عَنِ ٱبْنِ عُمَرَ: أَنَّهُ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَذَكَرَ ذٰلِكَ لِلنَّبِيِّ ﷺ فَقَالَ: «مُرْهُ فَلْيُرَاجِعْهَا ثُمَّ لْيُطَلِّقْهَا وَهِيَ طَاهِرٌ أَوْ حَامِلٌ».

(4) ـ بَابُ الطَّلاقِ لِغَيْرِ العِدَّةِ

3395 ـ أَخْبَرَنِي زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: أَخْبَرَنَا أَبُو بِشْرٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عُمَرَ: «أَنَّهُ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَرَدَّهَا عَلَيْهِ رَسُولُ ٱللَّهِ ﷺ حَتَّى طَلَّقَهَا وَهِيَ طَاهِرٌ».

(5) ـ الطَّلاقُ لغير العِدَّةِ وما يُحْتَسَبُ منه على المُطَلِّقِ

3396 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ أَيُّوبَ عَنْ مُحَمَّدٍ عَنْ يُونُسَ بْنِ جُبَيْرٍ قَالَ: سَأَلْتُ ٱبْنَ عُمَرَ عَنْ رَجُلٍ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَقَالَ: هَلْ تَعْرِفُ عَبْدَ ٱللَّهِ بْنَ عُمَرَ؟ فَإِنَّهُ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَسَأَلَ عُمَرُ النَّبِيَّ ﷺ فَأَمَرَهُ أَنْ يُرَاجِعَهَا ثُمَّ يَسْتَقْبِلَ عِدَّتَهَا فَقُلْتُ لَهُ: فَيَعْتَدُّ بِتِلْكَ التَّطْلِيقَةِ؟ فَقَالَ: مَهْ أَرَأَيْتَ إِنْ عَجَزَ وَٱسْتَحْمَقَ.

3397 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا ٱبْنُ عُلَيَّةَ عَنْ يُونُسَ عَنْ مُحَمَّدِ بْنِ سِيرِينَ عَنْ يُونُسَ بْنِ جُبَيْرٍ قَالَ: قُلْتُ لِابْنِ عُمَرَ: رَجُلٌ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَقَالَ: أَتَعْرِفُ عَبْدَ ٱللَّهِ بْنَ عُمَرَ؟ فَإِنَّهُ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَأَتَى عُمَرُ

his verdict, thereupon he said: "Tell him to take her back (and keep her until she is clean) and then divorce her (if he so likes) at the beginning of her prescribed period (before approaching her)." I (Yunus) asked: "Tell me: if one divorced his wife while she was menstruating: would it be counted (as valid one divorce)?" he (Ibn Umar) said: "What would it be then (if it was not counted)? What would you think if someone became helpless (to take her back) and foolish?"

[6] The Three Combined Pronouncements Of Divorce, And The Severe Warning (Of Practicing That)

3398- It is narrated on the authority of Mahmud Ibn Labid that he said: the news reached the Messenger of Allah "Allah's blessing and peace be upon him" that a man divorced his wife thrice simultaneously, thereupon he stood up angrily and said: "Would the Book of Allah (the Qur'an) be dealt with jestingly even though I'm living among you?" a man stood and said: "O Messenger of Allah! Should I not kill him?" (The Holy Verse meant here is Allah's saying: " A divorce is only permissible twice: after that, the parties should either hold together on equitable terms, or separate with kindness." (Al-Baqarah 229) this does not mean that the three permissible divorces could be pronounced simultaneously as that man whom the Prophet criticized did: on the contrary, each divorce should be pronounced solely, after which the couple might hold together; but after the third divorce is pronounced, they should irrevocably separate).

[7] The Concession Pertaining To That

3399- It is narrated on the authority of Sahl Ibn Sa'd As-Sa'idi that he said: Uwaimir Al-Ajlani came to Asim Ibn Adi and said: "What do you say, O Asim, about a man who has found another man with his wife? Should he kill him whereupon they would kill him (The husband), or what should he do? Please, O Asim, ask Allah's Apostle "Allah's blessing and peace be upon him" about this matter on my behalf." Asim asked The Messenger of Allah "Allah's blessing and peace be upon him" about that. But Allah's Apostle "Allah's blessing and peace be upon him" disliked the question and considered it as shameful to the extent that Asim felt it because of what The Messenger of Allah "Allah's blessing and peace be upon him" had said to him. Then Asim returned home and Uwaimir came to him. Uwaimir asked Asim: "O Asim! What did The Messenger of Allah "Allah's blessing and peace be upon him" answer you?" Asim replied: "You brought to me no good. Allah's Apostle "Allah's blessing and peace be upon him" disliked such questions and considered them as shameful." Uwaimir then said: "By Allah, I will not

النَّبِيَّ ﷺ يَسْأَلُهُ فَأَمَرَهُ أَنْ يُرَاجِعَهَا ثُمَّ يَسْتَقْبِلَ عِدَّتَهَا قُلْتُ لَهُ: إِذَا طَلَّقَ الرَّجُلُ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ أَيَعْتَدُّ بِتِلْكَ التَّطْلِيقَةِ؟ فَقَالَ: مَهْ وَإِنْ عَجَزَ وَٱسْتَحْمَقَ.

(6) ـ الثَّلاثُ المَجْمُوعَةُ وما فيه مِنَ التَّغْلِيظِ

3398 ـ أَخْبَرَنَا سُلَيْمَانُ بْنُ دَاوُدَ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي مَخْرَمَةُ عَنْ أَبِيهِ قَالَ: سَمِعْتُ مَحْمُودَ بْنَ لَبِيدٍ قَالَ: أُخْبِرَ رَسُولُ ٱللَّهِ ﷺ عَنْ رَجُلٍ طَلَّقَ ٱمْرَأَتَهُ ثَلاثَ تَطْلِيقَاتٍ جَمِيعاً فَقَامَ غَضْبَاناً ثُمَّ قَالَ: «**أَيُلْعَبُ بِكِتَابِ ٱللَّهِ وَأَنَا بَيْنَ أَظْهُرِكُمْ؟**» حَتَّى قَامَ رَجُلٌ وَقَالَ: يَا رَسُولَ ٱللَّهِ أَلاَ أَقْتُلُهُ.

(7) ـ بابُ الرُّخْصَةِ في ذلك

3399 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنَا ٱبْنُ الْقَاسِمِ عَنْ مَالِكٍ قَالَ: حَدَّثَنِي ٱبْنُ شِهَابٍ أَنَّ سَهْلَ بْنَ سَعْدٍ السَّاعِدِيَّ أَخْبَرَهُ أَنَّ عُوَيْمِراً الْعَجْلاَنِيَّ جَاءَ إِلَى عَاصِمِ بْنِ عَدِيٍّ فَقَالَ: أَرَأَيْتَ يَا عَاصِمُ لَوْ أَنَّ رَجُلاً وَجَدَ مَعَ ٱمْرَأَتِهِ رَجُلاً أَيَقْتُلُهُ فَيَقْتُلُونَهُ أَمْ كَيْفَ يَفْعَلُ؟ سَلْ لِي يَا عَاصِمُ رَسُولَ ٱللَّهِ ﷺ عَنْ ذٰلِكَ فَسَأَلَ عَاصِمٌ رَسُولَ ٱللَّهِ ﷺ فَكَرِهَ رَسُولُ ٱللَّهِ ﷺ الْمَسَائِلَ وَعَابَهَا حَتَّى كَبُرَ عَلَى عَاصِمٍ مَا سَمِعَ مِنْ رَسُولِ ٱللَّهِ ﷺ فَلَمَّا رَجَعَ عَاصِمٌ إِلَى أَهْلِهِ جَاءَهُ عُوَيْمِرٌ فَقَالَ: يَا عَاصِمُ مَاذَا قَالَ لَكَ رَسُولُ ٱللَّهِ ﷺ؟ فَقَالَ عَاصِمٌ لِعُوَيْمِرٍ: لَمْ تَأْتِنِي بِخَيْرٍ قَدْ كَرِهَ رَسُولُ ٱللَّهِ ﷺ الْمَسْأَلَةَ الَّتِي سَأَلْتَ عَنْهَا فَقَالَ عُوَيْمِرٌ:

give up asking unless I ask Allah's Apostle "Allah's blessing and peace be upon him" about it." Uwaimir came to The Prophet "Allah's blessing and peace be upon him" and said to him while being in the gathering of people: "O Allah's Apostle! What do you think about a man who has found another man with his wife! Should he kill him whereupon you would kill him (the husband, in retaliation) or what should he do?" Allah's Apostle "Allah's blessing and peace be upon him" said: "Allah has revealed regarding you and your wife's case in the Qur'an. Go and bring her." Sahl told: They performed the measures of Li'an (invoking Allah's curse upon the liar) according to what Allah had mentioned in His Book, while I was present among the people with The Messenger of Allah "Allah's blessing and peace be upon him". Uwaimir said: "O Allah's Apostle! If I kept her I would be a liar." So Uwaimir divorced her thrice before being ordered by Allah's Apostle "Allah's blessing and peace be upon him".

3400- It is narrated on the authority of Fatimah Bint Qais that she said: I went to Allah's Apostle "Allah's blessing and peace be upon him" and said: "I'm the daughter of the family of Khalid, and my husband sent to me that he had divorced me and when I asked his family both maintenance and residence they rejected." They said: "O Messenger of Allah! He sent to her three pronouncements of divorce." On that Allah's Apostle "Allah's blessing and peace be upon him" said: "Both maintenance and residence are due to a woman whose husband has the right to bring her back (i.e. before the third and final divorce)."

3401- It is narrated on the authority of Fatimah Bint Qais from Allah's Apostle "Allah's blessing and peace be upon him" that he said: "There are neither maintenance nor residence due to the (irrevocably divorced) woman who has been divorced thrice."

3402- It is narrated on the authority of Fatimah Bint Qais that Abu Amr Ibn Hafs Al-Makhzumi divorced her thrice. Khalid Ibn Al-Walid went in the company of some men from Banu Makhzum to Allah's Apostle "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Abu Amr Ibn Hafs divorced Fatimah thrice: is maintenance due to her?" Allah's Apostle "Allah's blessing and peace be upon him" said: "No, neither maintenance nor residence are due to her."

وَٱللَّهِ لاَ أَنْتَهِي حَتَّى أَسْأَلَ عَنْهَا رَسُولَ ٱللَّهِ ﷺ فَأَقْبَلَ عُوَيْمِرٌ حَتَّى أَتَى رَسُولَ ٱللَّهِ ﷺ وَسَطَ النَّاسِ فَقَالَ: يَا رَسُولَ اللَّهِ أَرَأَيْتَ رَجُلاً وَجَدَ مَعَ ٱمْرَأَتِهِ رَجُلاً أَيَقْتُلُهُ فَتَقْتُلُونَهُ أَمْ كَيْفَ يَفْعَلُ؟ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«قَدْ نَزَلَ فِيكَ وَفِي صَاحِبَتِكَ فَاذْهَبْ فَأْتِ بِهَا»** قَالَ سَهْلٌ: فَتَلاَعَنَا وَأَنَا مَعَ النَّاسِ عِنْدَ رَسُولِ ٱللَّهِ ﷺ فَلَمَّا فَرَغَ عُوَيْمِرٌ قَالَ: كَذَبْتُ عَلَيْهَا يَا رَسُولَ ٱللَّهِ إِنْ أَمْسَكْتُهَا فَطَلَّقَهَا ثَلاَثاً قَبْلَ أَنْ يَأْمُرَهُ رَسُولُ ٱللَّهِ ﷺ.

3400 ـ أَخْبَرَنَا أَحْمَدُ بْنُ يَحْيَى قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا سَعِيدُ بْنُ يَزِيدَ الأَحْمَسِيُّ قَالَ: حَدَّثَنَا الشَّعْبِيُّ قَالَ: حَدَّثَتْنِي فَاطِمَةُ بِنْتُ قَيْسٍ قَالَتْ: أَتَيْتُ النَّبِيَّ ﷺ. فَقُلْتُ: أَنَا بِنْتُ آلِ خَالِدٍ وَإِنَّ زَوْجِي فُلاَناً أَرْسَلَ إِلَيَّ بِطَلاَقِي وَإِنِّي سَأَلْتُ أَهْلَهُ النَّفَقَةَ وَالسُّكْنَى فَأَبَوْا عَلَيَّ قَالُوا: يَا رَسُولَ ٱللَّهِ إِنَّهُ قَدْ أَرْسَلَ إِلَيْهَا بِثَلاَثِ تَطْلِيقَاتٍ قَالَتْ: فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنَّمَا النَّفَقَةُ وَالسُّكْنَى لِلْمَرْأَةِ إِذَا كَانَ لِزَوْجِهَا عَلَيْهَا الرَّجْعَةُ»**.

3401 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ سَلَمَةَ عَنِ الشَّعْبِيِّ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ: عَنِ النَّبِيِّ ﷺ: **«الْمُطَلَّقَةُ ثَلاَثاً لَيْسَ لَهَا سُكْنَى وَلاَ نَفَقَةٌ»**.

3402 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا بَقِيَّةُ عَنْ أَبِي عَمْرٍو وَهُوَ الأَوْزَاعِيُّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنِي أَبُو سَلَمَةَ قَالَ: حَدَّثَتْنِي فَاطِمَةُ بِنْتُ قَيْسٍ: أَنَّ أَبَا عَمْرِو بْنَ حَفْصٍ الْمَخْزُومِيَّ طَلَّقَهَا ثَلاَثاً فَٱنْطَلَقَ خَالِدُ بْنُ الْوَلِيدِ فِي نَفَرٍ مِنْ بَنِي مَخْزُومٍ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ إِنَّ أَبَا عَمْرِو بْنَ حَفْصٍ طَلَّقَ فَاطِمَةَ ثَلاَثاً فَهَلْ لَهَا نَفَقَةٌ؟ فَقَالَ: **«لَيْسَ لَهَا نَفَقَةٌ وَلاَ سُكْنَى»**.

[8] When One Divorces His Wife Thrice Separately Before Consummating Marriage With Her

3403- It is narrated on the authority of Ibn Tawus from his father that Abu As-Sahba' came to Ibn Abbas and said: "O Messenger of Allah! Do you not know that the three (pronouncements of) divorce (uttered simultaneously) were regarded as one divorce during the lifetime of Allah's Apostle "Allah's blessing and peace be upon him", then the caliphate of Abu Bakr until the first portion of the caliphate of Umar?" he said: "Yes.".

[9] The Divorce Of Such As Gets Married To A Husband, Who Does Not Consummate Marriage With Her

3404- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" was asked about a man who divorced his wife irrevocably, and she got married to another, who consummated marriage with her, even though he had no sexual relation with her, after which he divorced her: should she be lawful for the former husband (to remarry)?" Allah's Apostle "Allah's blessing and peace be upon him" said: "No, until her latter husband tastes the pleasure of sexual relation with her, and she tastes the pleasure of sexual relation with him."

3405- It is narrated on the authority of A'ishah that she said: The wife of Rifa'ah Al-Qurzhi came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Rifa'ah divorced me irrevocably. Then I married Abd Ar-Rahman Ibn Az-Zabir who has only something like this fringe of that garment (i.e. he is sexually impotent)." The Messenger of Allah "Allah's blessing and peace be upon him" said to the woman: "Perhaps you want to return to Rifa'ah? That is impossible unless you taste the pleasure of sexual intercourse with him (or with any husband else), and he tastes the pleasure of sexual intercourse with you."

[10] The Irrevocable Divorce

3406- It is narrated on the authority of A'ishah that she said: The wife of Rifa'ah Al-Qurzhi came to The Messenger of Allah "Allah's blessing and peace be upon him" while Abu Bakr was with him and said: "O Messenger of Allah! I was the wife of Rifa'ah who divorced me irrevocably. Then I married Abd Ar-Rahman Ibn Az-Zabir who has, by Allah, O Messenger of Allah, but only something like a fringe of a garment (i.e. he is sexually impotent)." She caught hold of a fringe of her dress (in illustration). At that time, Khalid Ibn Sa'id was standing at the door, waiting the permission to enter. He said to Abu Bakr: "O Abu Bakr! Do you not hear what this lady is saying openly before Allah's Apostle "Allah's blessing and peace be upon

(8) ـ بابُ طَلاقِ الثَّلاثِ المُتَفَرِّقَةِ قبل الدُّخولِ بالزَّوْجَةِ

3403 ـ أَخْبَرَنَا أَبُو دَاوُدَ سُلَيْمَانُ بْنُ سَيْفٍ قَالَ: حَدَّثَنَا أَبُو عَاصِمٍ عَنِ ٱبْنِ جُرَيْجٍ عَنِ ٱبْنِ طَاوُسٍ عَنْ أَبِيهِ أَنَّ أَبَا الصَّهْبَاءِ جَاءَ إِلَى ٱبْنِ عَبَّاسٍ فَقَالَ: يَا ٱبْنَ عَبَّاسٍ أَلَمْ تَعْلَمْ أَنَّ الثَّلاَثَ كَانَتْ عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ وَأَبِي بَكْرٍ وَصَدْراً مِنْ خِلاَفَةِ عُمَرَ رَضِيَ ٱللَّهُ عَنْهُمَا تُرَدُّ إِلَى الْوَاحِدَةِ؟ قَالَ: نَعَمْ.

(9) ـ الطَّلاقُ لِلَّتي تَنْكِحُ زَوْجاً ثم لا يَدْخُلُ بها

3404 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ قَالَتْ: سُئِلَ رَسُولُ ٱللَّهِ ﷺ عَنْ رَجُلٍ طَلَّقَ ٱمْرَأَتَهُ فَتَزَوَّجَتْ زَوْجاً غَيْرَهُ فَدَخَلَ بِهَا ثُمَّ طَلَّقَهَا قَبْلَ أَنْ يُوَاقِعَهَا أَتَحِلُّ لِلأَوَّلِ؟ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ حَتَّى يَذُوقَ الآخَرُ عُسَيْلَتَهَا وَتَذُوقَ عُسَيْلَتَهُ»**.

3405 ـ أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ قَالَ: حَدَّثَنَا شُعَيْبُ بْنُ اللَّيْثِ عَنْ أَبِيهِ قَالَ: حَدَّثَنِي أَيُّوبُ بْنُ مُوسَى عَنِ ٱبْنِ شِهَابٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: جَاءَتِ ٱمْرَأَةُ رِفَاعَةَ الْقُرَظِيِّ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إِنِّي نَكَحْتُ عَبْدَ الرَّحْمٰنِ بْنَ الزَّبِيرِ وَٱللَّهِ مَا مَعَهُ إِلاَّ مِثْلَ هٰذِهِ الْهُدْبَةِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«لَعَلَّكِ تُرِيدِينَ أَنْ تَرْجِعِي إِلَى رِفَاعَةَ؟ لاَ حَتَّى يَذُوقَ عُسَيْلَتَكِ وَتَذُوقِي عُسَيْلَتَهُ»**.

(10) ـ طَلاقُ البَتَّةِ

3406 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: جَاءَتِ ٱمْرَأَةُ رِفَاعَةَ الْقُرَظِيِّ إِلَى النَّبِيِّ ﷺ وَأَبُو بَكْرٍ عِنْدَهُ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إِنِّي كُنْتُ تَحْتَ رِفَاعَةَ الْقُرَظِيِّ فَطَلَّقَنِي الْبَتَّةَ فَتَزَوَّجْتُ عَبْدَ الرَّحْمٰنِ بْنَ الزَّبِيرِ وَإِنَّهُ وَٱللَّهِ يَا رَسُولَ ٱللَّهِ مَا مَعَهُ إِلاَّ مِثْلَ هٰذِهِ الْهُدْبَةِ وَأَخَذَتْ هُدْبَةً مِنْ جِلْبَابِهَا وَخَالِدُ بْنُ سَعِيدٍ بِالْبَابِ فَلَمْ يَأْذَنْ لَهُ فَقَالَ: يَا أَبَا بَكْرٍ أَلاَ تَسْمَعُ هٰذِهِ تَجْهَرُ بِمَا تَجْهَرُ بِهِ عِنْدَ رَسُولِ ٱللَّهِ ﷺ؟ فَقَالَ:

him"?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Perhaps you want to return to Rifa'ah? That is impossible unless he (Abd Ar-Rahman or another husband consummates his marriage with you and) you taste the pleasure of sexual intercourse with him, and he tastes the pleasure of sexual intercourse with you."

[11] What About (The Validity Of The Statement) "The Decision Of Your (Divorce) Is In Your Hand"?

3407- It is narrated on the authority of Hammad Ibn Zaid that he said: I asked Ayyub: "Do you know anyone other than Al-Hasan who has adopted the statement "The decision of your (divorce) is in your hand" (therewith the husband entitles his wife to divorce herself from, or bring herself back to him that It is effective in the) three times (allowed for divorce, after which divorce becomes irrevocable)?" he said: "No." then he said: "Might Allah forgive me! Except something related to us by Qatadah from Kathir, the freed slave of Ibn Samurah, from Abu Salamah from Abu Hurairah from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "(It is effective in the) three times (allowed for divorce, after which divorce becomes irrevocable)." Ayyub said: Then, I met Kathir, and I asked him about that, and he did not recognize it. I made a mention of that to Qatadah, and he said: "No, (he has related it) but he seemed to have forgotten."

[12] What Makes The Irrevocably Divorced Woman Lawful (For Her Previous Husband To Remarry)

3408- It is narrated on the authority of A'ishah that she said: The wife of Rifa'ah Al-Qurzhi came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My husband divorced me irrevocably. Then I married Abd Ar-Rahman Ibn Az-Zabir who has only something like the fringe of a garment (i.e. he is sexually impotent)." The Messenger of Allah "Allah's blessing and peace be upon him" smiled and said to her: "Perhaps you want to return to Rifa'ah? That's impossible unless he (or any husband else) tastes the pleasure of sexual intercourse with you and you taste the pleasure of sexual intercourse with him."

3409- It is narrated on the authority of A'ishah that a man divorced his wife irrevocably, and she got married to another, who divorced her before he approached her; and Allah's Apostle "Allah's blessing and peace be upon him" was asked: should she be lawful for the former husband (to remarry)?" Allah's Apostle "Allah's blessing and peace be upon him" said: "No, until her latter husband tastes the pleasure of sexual relation with her, as well as the former had done."

«تُرِيدِينَ أَنْ تَرْجِعِي إِلَى رِفَاعَةَ؟ لاَ حَتَّى تَذُوقِي عُسَيْلَتَهُ وَيَذُوقَ عُسَيْلَتَكِ».

(11) ـ أَمْرُكِ بِيَدِكِ

3407 ـ أَخْبَرَنَا عَلِيُّ بْنُ نَصْرِ بْنِ عَلِيٍّ قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ قَالَ: قُلْتُ لأَيُّوبَ: هَلْ عَلِمْتَ أَحَداً قَالَ فِي أَمْرِكِ بِيَدِكِ أَنَّهَا ثَلاَثٌ غَيْرَ الْحَسَنِ؟ فَقَالَ: لاَ ثُمَّ قَالَ: اللَّهُمَّ غَفْراً إِلاَّ مَا حَدَّثَنِي قَتَادَةُ عَنْ كَثِيرٍ مَوْلَى ٱبْنِ سَمُرَةَ عَنْ أَبِي سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«ثَلاَثٌ»**. فَلَقِيتُ كَثِيراً فَسَأَلْتُهُ فَلَمْ يَعْرِفْهُ فَرَجِعْتُ إِلَى قَتَادَةَ فَأَخْبَرْتُهُ فَقَالَ: نَسِيَ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا حَدِيثٌ مُنْكَرٌ.

(12) ـ بابُ إِحْلالِ المُطَلَّقَةِ ثلاثاً والنِّكاحِ الذي يُحِلُّها به

3408 ـ حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: جَاءَتِ ٱمْرَأَةُ رِفَاعَةَ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَتْ: إِنَّ زَوْجِي طَلَّقَنِي فَأَبَتَّ طَلاَقِي وَإِنِّي تَزَوَّجْتُ بَعْدَهُ عَبْدَ الرَّحْمٰنِ بْنَ الزَّبِيرِ وَمَا مَعَهُ إِلاَّ مِثْلُ هُدْبَةِ الثَّوْبِ فَضَحِكَ رَسُولُ ٱللَّهِ ﷺ وَقَالَ: **«لَعَلَّكَ تُرِيدِينَ أَنْ تَرْجِعِي إِلَى رِفَاعَةَ؟ لاَ حَتَّى يَذُوقَ عُسَيْلَتَكِ وَتَذُوقِي عُسَيْلَتَهُ»**.

3409 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنِي عُبَيْدُ ٱللَّهِ قَالَ: حَدَّثَنِي الْقَاسِمُ عَنْ عَائِشَةَ: أَنَّ رَجُلاً طَلَّقَ ٱمْرَأَتَهُ ثَلاَثاً فَتَزَوَّجَتْ زَوْجاً فَطَلَّقَهَا قَبْلَ أَنْ يَمَسَّهَا فَسُئِلَ رَسُولُ ٱللَّهِ ﷺ أَتَحِلُّ لِلأَوَّلِ فَقَالَ: **«لاَ حَتَّى يَذُوقَ عُسَيْلَتَهَا كَمَا ذَاقَ الأَوَّلُ»**.

3410- It is narrated on the authority of Ubaidullah Ibn Abbas that Al-Ghumaisa' or Ar-Rumaisa' came to Allah's Apostle "Allah's blessing and peace be upon him" and made a complaint against her husband that he (was sexually impotent that) it (his male organ) never reached her (female organ). Very soon, her husband came and said: "O Messenger of Allah! She is a liar! It always reaches her but she (alleges so for she) likes to return to her previous husband." On that Allah's Apostle "Allah's blessing and peace be upon him" said: "That is not possible unless you taste the pleasure of sexual relation with him."

3411- It is narrated on the authority of Ibn Umar from Allah's Apostle "Allah's blessing and peace be upon him" pertaining to a man who divorced his wife irrevocably, and she got married to another, who divorced her, before he had no sexual relation with her: should she be able to return to her former husband?" he said: "No, until she tastes the pleasure of sexual relation with him (or any husband else)."

3412- It is narrated on the authority of Ibn Umar that he said: Allah's Apostle "Allah's blessing and peace be upon him" was asked about a man who divorced his wife irrevocably, and she got married to another, who closed the door and hang down the curtain (i.e. sat with her alone) and then he divorced her before he consummated marriage with her Allah's Apostle "Allah's blessing and peace be upon him" said: "She is unlawful for her former husband (to remarry) until her latter husband consummates marriage (and has sexual relation) with her."

[13] Making Lawful The Irrevocably Divorced Woman (For Her Former Husband To Remarry) And The Severe Warning Of That

3413- It is narrated on the authority of Abdullah that he said: Allah's Apostle "Allah's blessing and peace be upon him" cursed such as tattoos, and such as gets tattooed; such as lengthens the hair (artificially using false hair) and such as gets her hair lengthened (artificially by using false hair); such as devours usury, and such as causes it to be devoured; such as marries a woman who is irrevocably divorced by another to make it lawful for her to return to her former husband (the Muhallil), and such as divorces his wife irrevocably and accepts this operation (the Muhallal).

[14] One Divorces His Wife In Her Face

3414- It is narrated on the authority of Al-Awza'i that he said: I asked Az-Zuhri about the woman who sought refuge from Allah's Apostle "Allah's blessing and peace be upon him", and he said: Urwah related to me from A'ishah that when Al-Kilabiyyah entered upon Allah's Apostle "Allah's

3410 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا هُشَيْمٌ قَالَ: أَنْبَأَنَا يَحْيَى عَنْ أَبِي إِسْحَاقَ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عَبَّاسٍ: أَنَّ الْعُمَيْصَاءَ أَوِ الرُّمَيْصَاءَ أَتَتِ النَّبِيَّ ﷺ تَشْتَكِي زَوْجَهَا أَنَّهُ لاَ يَصِلُ إِلَيْهَا فَلَمْ يَلْبَثْ أَنْ جَاءَ زَوْجُهَا فَقَالَ: يَا رَسُولَ ٱللَّهِ هِيَ كَاذِبَةٌ وَهُوَ يَصِلُ إِلَيْهَا وَلٰكِنَّهَا تُرِيدُ أَنْ تَرْجِعَ إِلَى زَوْجِهَا الأَوَّلِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«لَيْسَ ذٰلِكَ حَتَّى تَذُوقِي عُسَيْلَتَهُ»**.

3411 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ قَالَ: سَمِعْتُ سَلْمَ بْنَ زَرِيرٍ يُحَدِّثُ عَنْ سَالِمِ بْنِ عَبْدِ ٱللَّهِ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنِ ٱبْنِ عُمَرَ: عَنِ النَّبِيِّ ﷺ فِي الرَّجُلِ تَكُونُ لَهُ الْمَرْأَةُ يُطَلِّقُهَا ثُمَّ يَتَزَوَّجُهَا رَجُلٌ آخَرُ فَيُطَلِّقُهَا قَبْلَ أَنْ يَدْخُلَ بِهَا فَتَرْجِعَ إِلَى زَوْجِهَا الأَوَّلِ قَالَ: **«لاَ حَتَّى تَذُوقَ الْعُسَيْلَةَ»**.

3412 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا وَكِيعٌ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ عَنْ رَزِينِ بْنِ سُلَيْمَانَ الأَحْمَرِيِّ عَنِ ٱبْنِ عُمَرَ قَالَ: سُئِلَ النَّبِيُّ ﷺ عَنِ الرَّجُلِ يُطَلِّقُ ٱمْرَأَتَهُ ثَلاَثاً فَيَتَزَوَّجُهَا الرَّجُلُ فَيُغْلِقُ الْبَابَ وَيُرْخِي السِّتْرَ ثُمَّ يُطَلِّقُهَا قَبْلَ أَنْ يَدْخُلَ بِهَا قَالَ: **«لاَ تَحِلُّ لِلأَوَّلِ حَتَّى يُجَامِعَهَا الآخَرُ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا أَوْلَى بِالصَّوَابِ.

(13) ـ بَابُ إِحْلاَلِ الْمُطَلَّقَةِ ثَلاثاً وما فيه مِنَ التَّغْلِيظِ

3413 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ عَنْ سُفْيَانَ عَنْ أَبِي قَيْسٍ عَنْ هُزَيْلٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: «لَعَنَ رَسُولُ ٱللَّهِ ﷺ الْوَاشِمَةَ وَالْمُوتَشِمَةَ وَالْوَاصِلَةَ والْمَوْصُولَةَ وَآكِلَ الرِّبَا وَمُوكِلَهُ وَالْمُحَلِّلَ وَالْمُحَلَّلَ لَهُ».

(14) ـ بَابُ مُوَاجَهَةِ الرَّجُلِ الْمَرْأَةَ بِالطَّلاقِ

3414 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ حُرَيْثٍ قَالَ: حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ قَالَ: سَأَلْتُ الزُّهْرِيَّ عَنِ الَّتِي ٱسْتَعَاذَتْ مِنْ رَسُولِ ٱللَّهِ ﷺ فَقَالَ: أَخْبَرَنِي عُرْوَةُ عَنْ عَائِشَةَ: أَنَّ الْكِلاَبِيَّةَ لَمَّا دَخَلَتْ عَلَى النَّبِيِّ ﷺ قَالَتْ: أَعُوذُ بِاللَّهِ

blessing and peace be upon him" (to consummate marriage with her) she said: "I seek refuge with Allah from you!" on that Allah's Apostle "Allah's blessing and peace be upon him" said: "No doubt, you've sought refuge with (Allah) the One Who is Most Magnificent! Join your family."

[15] A Man Sends To His Wife That He Has Divorced Her

3415- It is narrated on the authority of Fatimah Bint Qais that she said: My husband sent to me that he had divorced me, thereupon I straightened my dress upon me and went direct to Allah's Apostle "Allah's blessing and peace be upon him" and (when I told him) he asked me: "How many times did he divorce you?" I said: "Three times." On that he said: "Then, no maintenance is due to you; and spend the period of your Iddat in the house of your paternal cousin Ibn Umm Maktum, for he is blind, in whose house you could be able to put off your garment at ease; and when your term of Iddat comes to an end, inform me."

3416- The same is narrated on the authority of Mujahid from Tamim, the freed slave of Fatimah, from Fatimah.

[16] Allah's Statement: "O Prophet! Why do you Hold To Be Forbidden That Which Allah Has Made Lawful To you?"

3417- It is narrated on the authority of Ibn Abbas that a man came to him and said: "I've made my wife unlawful for me." On that he said to him: "You've told a lie! By no means should she be unlawful for you." Then, he recited Allah's Statement: " O Prophet! Why do you hold to be forbidden that which Allah has made lawful to you?" (At-Tahrim 1) the most grievous expiation is due upon you, i.e. to emancipate a slave.

[17] Another Interpretation Of This Holy Statement

3418- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" used to spend some time in the house of Zainab, the daughter of Jahsh, and drink honey there. So Hafsah and I agreed secretly that, if he should come to either of us, she will say to him: "It seems you have eaten Maghafir (a kind of bad-smelling resin), for I smell in you the smell of Maghafir." When he entered upon one of us, we said that to him. He replied: "No, but I was drinking honey in the house of Zainab, the daughter of Jahsh, and I shall never take it again." Then Allah revealed: "O Prophet! Why do you hold to be forbidden that which Allah has made lawful to you? You do seek to please your consorts. But Allah is Oft-Forgiving, Most Merciful." (Prohibition "At-Tahrim" 1) he also said: "If you two turn in repentance to Him (meaning Hafsah and A'ishah), your hearts are indeed so inclined." (4) He also said: "When the Prophet

مِنكَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «لَقَدْ عُذْتِ بِعَظِيمِ الْحَقِي بِأَهْلِكِ».

(15) ـ بابُ إِرْسَالِ الرَّجُلِ إلى زَوْجَتِهِ بالطَّلاقِ

3415 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ عَنْ سُفْيَانَ عَنْ أَبِي بَكْرٍ وَهُوَ ٱبْنُ أَبِي الْجَهْمِ قَالَ: سَمِعْتُ فَاطِمَةَ بِنْتَ قَيْسٍ تَقُولُ: أَرْسَلَ إِلَيَّ زَوْجِي بِطَلاَقِي فَشَدَدْتُ عَلَيَّ ثِيَابِي ثُمَّ أَتَيْتُ النَّبِيَّ ﷺ فَقَالَ: «كَمْ طَلَّقَكِ»؟ فَقُلْتُ: ثَلاَثاً قَالَ: «لَيْسَ لَكِ نَفَقَةٌ وَٱعْتَدِّي فِي بَيْتِ ٱبْنِ عَمِّكِ ٱبْنِ أُمِّ مَكْتُومٍ فَإِنَّهُ ضَرِيرُ الْبَصَرِ تُلْقِينَ ثِيَابَكِ عِنْدَهُ فَإِذَا ٱنْقَضَتْ عِدَّتُكِ فَآذِنِينِي». مُخْتَصَرٌ.

3416 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ عَنْ سُفْيَانَ عَنْ مَنْصُورٍ عَنْ مُجَاهِدٍ عَنْ تَمِيمٍ مَوْلَى فَاطِمَةَ عَنْ فَاطِمَةَ، نَحْوَهُ.

(16) ـ تَأْوِيلُ قَوْلِهِ عزَّ وجلَّ: ﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ لِمَ تُحَرِّمُ مَآ أَحَلَّ ٱللَّهُ لَكَ﴾

3417 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ عَبْدِ الصَّمَدِ بْنِ عَلِيٍّ الْمَوْصِلِيُّ قَالَ: حَدَّثَنَا مَخْلَدٌ عَنْ سُفْيَانَ عَنْ سَالِمٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: أَتَاهُ رَجُلٌ فَقَالَ: إِنِّي جَعَلْتُ ٱمْرَأَتِي عَلَيَّ حَرَاماً قَالَ: كَذَبْتَ لَيْسَتْ عَلَيْكَ بِحَرَامٍ ثُمَّ تَلاَ هٰذِهِ الآيَةَ ﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ لِمَ تُحَرِّمُ مَآ أَحَلَّ ٱللَّهُ لَكَ﴾ [التحريم: 1] عَلَيْكَ أَغْلَظُ الْكَفَّارَةِ عِتْقُ رَقَبَةٍ.

(17) ـ تَأْوِيلُ هذه الآيَةِ على وَجْهٍ آخَرَ

3418 ـ أَخْبَرَنَا قُتَيْبَةُ عَنْ حَجَّاجٍ عَنِ ٱبْنِ جُرَيْجٍ عَنْ عَطَاءٍ أَنَّهُ سَمِعَ عُبَيْدَ بْنَ عُمَيْرٍ قَالَ: سَمِعْتُ عَائِشَةَ زَوْجَ النَّبِيِّ ﷺ أَنَّ النَّبِيَّ ﷺ كَانَ يَمْكُثُ عِنْدَ زَيْنَبَ وَيَشْرَبُ عِنْدَهَا عَسَلاً فَتَوَاصَيْتُ وَحَفْصَةُ أَيَّتُنَا مَا دَخَلَ عَلَيْهَا النَّبِيُّ ﷺ فَلْتَقُلْ إِنِّي أَجِدُ مِنْكَ رِيحَ مَغَافِيرَ فَدَخَلَ عَلَى إِحْدَيْهِمَا فَقَالَتْ ذٰلِكَ لَهُ فَقَالَ: «بَلْ شَرِبْتُ عَسَلاً عِنْدَ زَيْنَبَ» وَقَالَ: «لَنْ أَعُودَ لَهُ» فَنَزَلَ ﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ لِمَ تُحَرِّمُ مَآ أَحَلَّ ٱللَّهُ لَكَ﴾ إِنْ تَتُوبَا إِلَى ٱللَّهِ لِعَائِشَةَ وَحَفْصَةَ ﴿وَإِذْ أَسَرَّ ٱلنَّبِيُّ إِلَىٰ بَعْضِ أَزْوَٰجِهِۦ حَدِيثًا﴾ [التحريم،

disclosed a matter in confidence to one of his consorts (meaning The Prophet's saying: "I drank honey"), and she divulged it (to another)." (3)

[18] One's Statement To His Wife "Go And Join Your Family"

3419- It is narrated on the authority of Ka'b Ibn Malik that he related his story when he remained behind Allah's Apostle "Allah's blessing and peace be upon him" in the holy battle of Tabuk, in which he said: There came to me the messenger of Allah's Apostle "Allah's blessing and peace be upon him" and said: "Allah's Apostle "Allah's blessing and peace be upon him" orders you to keep away from your wife." I said: "Should I divorce her; or else! What should I do?" He said: "No, only keep aloof from her and do not approach her." Then I said to my wife: "Go and join your family and remain with them till Allah gives His Verdict in this matter.""

3420- It is narrated on the authority of Ka'b Ibn Malik, and he was one of the three men, to whom Allah Almighty turned in repentance, that he related his story when he remained behind Allah's Apostle "Allah's blessing and peace be upon him" in the holy battle of Tabuk, in which he said: Allah's Apostle "Allah's blessing and peace be upon him" sent his messenger to me and to my two fellows, and said: "Allah's Apostle "Allah's blessing and peace be upon him" orders you to keep away from your wives." I said: "Should I divorce her; or else! What should I do?" He said: "No, only keep aloof from her and do not approach her." Then I said to my wife: "Go and join your family and remain with them till Allah gives His Verdict in this matter.""

3421- It is narrated on the authority of Ka'b Ibn Malik that he related his story when he remained behind Allah's Apostle "Allah's blessing and peace be upon him" in the holy battle of Tabuk, in which he said: There came to me the messenger of Allah's Apostle "Allah's blessing and peace be upon him" and said: "Allah's Apostle "Allah's blessing and peace be upon him" orders you to keep away from your wife." He sent the same message to my two fellows. I said: "Should I divorce her; or else! What should I do?" He said: "No, only keep aloof from her and do not approach her." Then I said to my wife: "Go and join your family and remain with them till Allah gives His Verdict in this matter."" She then joined them accordingly.

3422- It is narrated on the authority of Ka'b Ibn Malik, that he said (while relating his story when he remained behind Allah's Apostle "Allah's blessing and peace be upon him" in the holy battle of Tabuk): Allah's Apostle "Allah's blessing and peace be upon him" sent his messenger to me and to my two fellows, and said: "Allah's Apostle "Allah's blessing and peace be

الآية: 3] لِقَوْلِهِ: «بَلْ شَرِبْتُ عَسَلاً». كُلُّهُ فِي حَدِيثِ عَطَاءٍ.

(18) ـ بابُ الْحَقِي بِأَهْلِكِ

3419 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمِ بْنِ نُعَيْمٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ مَكِّيِّ بْنِ عِيسَى قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ قَالَ: حَدَّثَنَا يُونُسُ عَنِ الزُّهْرِيِّ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَبْدِ ٱللَّهِ بْنِ كَعْبِ بْنِ مَالِكٍ قَالَ: سَمِعْتُ كَعْبَ بْنَ مَالِكٍ يُحَدِّثُ حَدِيثَهُ حِينَ تَخَلَّفَ عَنْ رَسُولِ ٱللَّهِ ﷺ فِي غَزْوَةِ تَبُوكَ وقَالَ فِيهِ: إِذَا رَسُولُ رَسُولِ ٱللَّهِ ﷺ يَأْتِينِي فَقَالَ: إِنَّ رَسُولَ ٱللَّهِ ﷺ ح. وَأَخْبَرَنِي سُلَيْمَانُ بْنُ دَاوُدَ قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ عَنْ يُونُسَ قَالَ ٱبْنُ شِهَابٍ: أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنِ عَبْدِ ٱللَّهِ بْنِ كَعْبِ بْنِ مَالِكٍ أَنَّ عَبْدَ ٱللَّهِ بْنَ كَعْبِ بْنِ مَالِكٍ قَالَ: سَمِعْتُ كَعْبَ بْنَ مَالِكٍ يُحَدِّثُ حَدِيثَهُ: حِينَ تَخَلَّفَ عَنْ رَسُولِ ٱللَّهِ ﷺ فِي غَزْوَةِ تَبُوكَ وَسَاقَ قِصَّتَهُ وَقَالَ: إِذَا رَسُولُ رَسُولِ ٱللَّهِ ﷺ يَأْتِي فَقَالَ: إِنَّ رَسُولَ ٱللَّهِ ﷺ يَأْمُرُكَ أَنْ تَعْتَزِلَ ٱمْرَأَتَكَ فَقُلْتُ: أُطَلِّقُهَا أَمْ مَاذَا؟ قَالَ: لاَ بَلِ اعْتَزِلْهَا فَلاَ تَقْرَبْهَا فَقُلْتُ لاِمْرَأَتِي: الْحَقِي بِأَهْلِكِ فَكُونِي عِنْدَهُمْ حَتَّى يَقْضِيَ ٱللَّهُ عَزَّ وَجَلَّ فِي هٰذَا الأَمْرِ.

3420 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ جَبَلَةَ وَمُحَمَّدُ بْنُ يَحْيَى بْنِ مُحَمَّدٍ قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ مُوسَى بْنِ أَعْيَنَ قَالَ: حَدَّثَنَا أَبِي عَنْ إِسْحَاقَ بْنِ رَاشِدٍ عَنِ الزُّهْرِيِّ أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ بْنِ كَعْبِ بْنِ مَالِكٍ عَنْ أَبِيهِ قَالَ: سَمِعْتُ أَبِي كَعْبَ بْنَ مَالِكٍ قَالَ وَهُوَ أَحَدُ الثَّلاَثَةِ الَّذِينَ تِيبَ عَلَيْهِمْ يُحَدِّثُ قَالَ: أَرْسَلَ إِلَيَّ رَسُولُ ٱللَّهِ ﷺ وَإِلَى صَاحِبَيَّ أَنْ رَسُولَ ٱللَّهِ ﷺ يَأْمُرُكُمْ أَنْ تَعْتَزِلُوا نِسَاءَكُمْ فَقُلْتُ لِلرَّسُولِ: أُطَلِّقُ ٱمْرَأَتِي أَمْ مَاذَا أَفْعَلُ؟ قَالَ: لاَ بَلْ تَعْتَزِلُهَا فَلاَ تَقْرَبْهَا فَقُلْتُ لاِمْرَأَتِي: الْحَقِي بِأَهْلِكِ فَكُونِي فِيهِمْ فَلَحِقَتْ بِهِمْ.

3421 ـ أَخْبَرَنَا يُوسُفُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا حَجَّاجُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا ٱللَّيْثُ بْنُ سَعْدٍ قَالَ: حَدَّثَنِي عُقَيْلٌ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ بْنِ كَعْبٍ أَنَّ عَبْدَ ٱللَّهِ بْنَ كَعْبٍ قَالَ: سَمِعْتُ كَعْباً يُحَدِّثُ حَدِيثَهُ حِينَ تَخَلَّفَ عَنْ رَسُولِ ٱللَّهِ ﷺ فِي غَزْوَةِ تَبُوكَ وَقَالَ فِيهِ: إِذَا رَسُولُ رَسُولِ ٱللَّهِ ﷺ يَأْتِينِي وَيَقُولُ إِنَّ رَسُولَ ٱللَّهِ ﷺ يَأْمُرُكَ أَنْ تَعْتَزِلَ ٱمْرَأَتَكَ فَقُلْتُ: أُطَلِّقُهَا أَمْ مَاذَا أَفْعَلُ؟ قَالَ: بَلِ اعْتَزِلْهَا وَلاَ تَقْرَبْهَا وَأَرْسَلَ إِلَى صَاحِبَيَّ بِمِثْلِ ذٰلِكَ فَقُلْتُ لاِمْرَأَتِي: الْحَقِي بِأَهْلِكِ وَكُونِي عِنْدَهُمْ حَتَّى يَقْضِيَ ٱللَّهُ عَزَّ وَجَلَّ فِي هٰذَا الأَمْرِ. خَالَفَهُمْ مَعْقِلُ بْنُ عُبَيْدِ ٱللَّهِ.

3422 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْدَانَ بْنِ عِيسَى قَالَ: حَدَّثَنَا الْحَسَنُ بْنُ أَعْيَنَ قَالَ: حَدَّثَنَا مَعْقِلٌ عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ بْنِ كَعْبٍ عَنْ عَمِّهِ عُبَيْدِ ٱللَّهِ بْنِ كَعْبٍ قَالَ: سَمِعْتُ أَبِي كَعْباً يُحَدِّثُ قَالَ: أَرْسَلَ إِلَيَّ رَسُولُ ٱللَّهِ ﷺ وَإِلَى

upon him" orders you to keep away from your wives." I said: "Should I divorce her; or else! What should I do?" He said: "No, only keep aloof from her and do not approach her." Then I said to my wife: "Go and join your family and remain with them till Allah gives His Verdict in this matter."" She then joined them accordingly.

3423- It is narrated on the authority of Ka'b Ibn Malik, that he said (while relating his story when he remained behind Allah's Apostle "Allah's blessing and peace be upon him" in the holy battle of Tabuk): the messenger of Allah's Apostle "Allah's blessing and peace be upon him" came to me, and said: "Keep away from your wife." I said: "Should I divorce her; or else! What should I do?" He said: "No, only keep aloof from her and do not approach her." In this narration, no mention is made of the statement "Go and join your family".

[19] The Slave's Divorce

3424- It is narrated on the authority of Abu Hasan, the freed slave of Banu Nawfal that he said: I and my wife were slaves, and I divorced her twice, after which we were manumitted. I made a mention of that to Ibn Abbas, who said to me: "If you bring her back, (it will be lawful for) her to be with you, and only one divorce remains for you. This is the same judgement given by Allah's Apostle "Allah's blessing and peace be upon him"." (This is based upon the commandment that the divorce for a slave is only twice, not thrice, after which it becomes irrevocable; and when he becomes free, he acquires the rights and obligations of the free men, and thus, this slave had the right to bring his wife back, even after two pronouncements of divorce. But anyway, this was abrogated).

3425- It is narrated on the authority of Abu Hasan, the freed slave of Banu Nawfal that he said: Ibn Abbas was asked about a slave who divorced his wife twice, and then he was emancipated: should he be able to remarry her? He said: "Yes." He asked: "From whom (do you relate that)?" he said: " This is the same religious verdict given by Allah's Apostle "Allah's blessing and peace be upon him"." Ibn Al-Mubarak said to Ma'mar: This Abu Al-Hasan has caused himself to carry a heavy rock (by relating this narration).

[20] When Should A Boy's Divorce Be Effective?

3426- It is narrated on the authority of both sons of Quraizhah that they were displayed before This is the same judgement given by Allah's Apostle "Allah's blessing and peace be upon him"." On the day of Quraizhah (when they were sentenced to death): whoever of them had attained the age of puberty, or the hair of whose pubes had grown up, would be killed; and

صَاحِبَيَّ أَنَّ رَسُولَ ٱللَّهِ ﷺ يَأْمُرُكُمْ أَنْ تَعْتَزِلُوا نِسَاءَكُمْ فَقُلْتُ لِلرَّسُولِ: أُطَلِّقُ ٱمْرَأَتِي أَمْ مَاذَا أَفْعَلُ؟ قَالَ: لاَ بَلْ تَعْتَزِلُهَا وَلاَ تَقْرَبْهَا فَقُلْتُ لاِمْرَأَتِي: ٱلْحَقِي بِأَهْلِكِ فَكُونِي فِيهِمْ حَتَّى يَقْضِيَ ٱللَّهُ عَزَّ وَجَلَّ فَلَحِقَتْ بِهِمْ. خَالَفَهُ مَعْمَرٌ.

3423 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا مُحَمَّدٌ وَهُوَ ٱبْنُ ثَوْرٍ عَنْ مَعْمَرٍ عَنِ الزُّهْرِيِّ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ كَعْبِ بْنِ مَالِكٍ عَنْ أَبِيهِ قَالَ فِي حَدِيثِهِ: إِذَا رَسُولٌ مِنَ النَّبِيِّ ﷺ قَدْ أَتَانِي فَقَالَ: ٱعْتَزِلِ ٱمْرَأَتَكَ فَقُلْتُ: أُطَلِّقُهَا؟ قَالَ: لاَ وَلٰكِنْ لاَ تَقْرَبْهَا. وَلَمْ يَذْكُرْ فِيهِ ٱلْحَقِي بِأَهْلِكِ.

(19) ـ بابُ طَلاقِ العَبْدِ

3424 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: سَمِعْتُ يَحْيَى قَالَ: حَدَّثَنَا عَلِيُّ بْنُ الْمُبَارَكِ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي كَثِيرٍ عَنْ عُمَرَ بْنِ مُعَتِّبٍ أَنَّ أَبَا حَسَنٍ مَوْلَى بَنِي نَوْفَلٍ أَخْبَرَهُ قَالَ: كُنْتُ أَنَا وَٱمْرَأَتِي مَمْلُوكَيْنِ فَطَلَّقْتُهَا تَطْلِيقَتَيْنِ ثُمَّ أُعْتِقْنَا جَمِيعاً فَسَأَلْتُ ٱبْنَ عَبَّاسٍ فَقَالَ: إِنْ رَاجَعْتَهَا كَانَتْ عِنْدَكَ عَلَى وَاحِدَةٍ قَضَى بِذٰلِكَ رَسُولُ ٱللَّهِ ﷺ. خَالَفَهُ مَعْمَرٌ.

3425 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا مَعْمَرٌ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ عَنْ عُمَرَ بْنِ مُعَتِّبٍ عَنِ [أبي] الْحَسَنِ مَوْلَى بَنِي نَوْفَلٍ قَالَ: سُئِلَ ٱبْنُ عَبَّاسٍ عَنْ عَبْدٍ طَلَّقَ ٱمْرَأَتَهُ تَطْلِيقَتَيْنِ ثُمَّ عُتِقَا أَيَتَزَوَّجُهَا؟ قَالَ: نَعَمْ قَالَ: عَمَّنْ؟ قَالَ: أَفْتَى بِذٰلِكَ رَسُولُ ٱللَّهِ ﷺ قَالَ عَبْدُ الرَّزَّاقِ: قَالَ ٱبْنُ الْمُبَارَكِ لِمَعْمَرٍ: [أبو] الْحَسَنِ هٰذَا مَنْ هُوَ؟ لَقَدْ حَمَلَ صَخْرَةً عَظِيمَةً.

(20) ـ بابٌ مَتَى يَقَعُ طَلاقُ الصَّبِيِّ

3426 ـ أَخْبَرَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا أَسَدُ بْنُ مُوسَى قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ أَبِي مَعْمَرٍ الْخَطَمِيِّ عَنْ عُمَارَةَ بْنِ خُزَيْمَةَ عَنْ كَثِيرِ بْنِ السَّائِبِ قَالَ: حَدَّثَنِي ٱبْنَا قُرَيْظَةَ: أَنَّهُمْ عُرِضُوا عَلَى رَسُولِ ٱللَّهِ ﷺ يَوْمَ قُرَيْظَةَ فَمَنْ كَانَ

whoever of them had not yet attained the age of puberty, or the hair of whose pubes had not grown up, would be left. (This means that the divorce of such as has not attained the age of puberty is not effective).

3427- It is narrated on the authority of Atiyyah Al-Qurzhi that he said: On the day Sa'd (Ibn Mu'adh) passed his judgement on these of Quraizhah, I was still a boy, but they had doubt in me, so, but they found that the hair of my pubes had not grown up yet. In this way I was left, and here I'm, living among you.

3428- It is narrated on the authority of Ibn Umar that Allah's Apostle "Allah's blessing and peace be upon him" checked him up on the day of (the holy battle of) Uhud (to see whether he was fitting for taking part in the battle) and he was fourteen years old, and he did not accept him; and on the day of (the holy battle of) the Trench, he checked him up once again, and he was fifteen years old, thereupon he accepted him.

[21] Such Of Husbands As Whose Divorce Is Ineffective

3429- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The pen (of recording the deeds of the people) has been lifted from three (types of) persons: from the sleeping one until he gets up, from the young (who has not attained the age of puberty) until he grows up (and attains the age of discernment), and from the mad until he recovers or is restored to his consciousness."

[22] When One Divorces In Himself

3430- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Allah Almighty has overlooked for my nation everything lurking in their souls as long as it is not put to speech or practice."

3431- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Allah Almighty has overlooked for my nation every kind of thought aroused in their souls as long as it is not put to practice or speech."

3432- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Allah Almighty has overlooked for my nation everything lurking in their souls as long as it is not put to practice or speech."

مُحْتَلِماً أَوْ نَبَتَتْ عَانَتُهُ قُتِلَ وَمَنْ لَمْ يَكُنْ مُحْتَلِماً أَوْ لَمْ تَنْبُتْ عَانَتُهُ تُرِكَ.

3427 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ عَنْ عَطِيَّةَ الْقُرَظِيِّ قَالَ: كُنْتُ يَوْمَ حُكْمِ سَعْدٍ فِي بَنِي قُرَيْظَةَ غُلاَماً فَشَكُّوا فِيَّ فَلَمْ يَجِدُونِي أَنْبَتُّ فَاسْتُبْقِيتُ فَهَا أَنَا ذَا بَيْنَ أَظْهُرِكُمْ.

3428 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ ٱللَّهِ قَالَ: أَخْبَرَنِي نَافِعٌ عَنِ ٱبْنِ عُمَرَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ عَرَضَهُ يَوْمَ أُحُدٍ وَهُوَ ٱبْنُ أَرْبَعَ عَشْرَةَ سَنَةً فَلَمْ يُجِزْهُ وَعَرَضَهُ يَوْمَ الْخَنْدَقِ وَهُوَ ٱبْنُ خَمْسَ عَشْرَةَ سَنَةً فَأَجَازَهُ.

(21) ـ بَابُ مَنْ لا يَقَعُ طَلاقُهُ مِنَ الأَزْوَاجِ

3429 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ حَمَّادٍ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«رُفِعَ الْقَلَمُ عَنْ ثَلاَثٍ عَنِ النَّائِمِ حَتَّى يَسْتَيْقِظَ وَعَنِ الصَّغِيرِ حَتَّى يَكْبُرَ وَعَنِ الْمَجْنُونِ حَتَّى يَعْقِلَ أَوْ يَفِيقَ»**.

(22) ـ بَابُ مَنْ طَلَّقَ فِي نَفْسِهِ

3430 ـ أَخْبَرَنَا إِبْرَاهِيمُ بْنُ الْحَسَنِ وَعَبْدُ الرَّحْمٰنِ بْنُ مُحَمَّدِ بْنِ سَلاَّمٍ قَالاَ: حَدَّثَنَا حَجَّاجُ بْنُ مُحَمَّدٍ عَنِ ٱبْنِ جُرَيْجٍ عَنْ عَطَاءٍ عَنْ أَبِي هُرَيْرَةَ أَنَّ النَّبِيَّ ﷺ. قَالَ عَبْدُ الرَّحْمٰنِ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«إِنَّ ٱللَّهَ تَعَالَى تَجَاوَزَ عَنْ أُمَّتِي كُلَّ شَيْءٍ حَدَّثَتْ بِهِ أَنْفُسَهَا مَا لَمْ تَكَلَّمْ بِهِ أَوْ تَعْمَلْ»**.

3431 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا ٱبْنُ إِدْرِيسَ عَنْ مِسْعَرٍ عَنْ قَتَادَةَ عَنْ زُرَارَةَ بْنِ أَوْفَى عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنَّ ٱللَّهَ عَزَّ وَجَلَّ تَجَاوَزَ لأُمَّتِي مَا وَسْوَسَتْ بِهِ وَحَدَّثَتْ بِهِ أَنْفُسَهَا مَا لَمْ تَعْمَلْ أَوْ تَتَكَلَّمْ بِهِ»**.

3432 ـ أَخْبَرَنِي مُوسَى بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا حُسَيْنٌ الْجُعْفِيُّ عَنْ زَائِدَةَ عَنْ شَيْبَانَ عَنْ قَتَادَةَ عَنْ زُرَارَةَ بْنِ أَوْفَى عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«إِنَّ ٱللَّهَ تَعَالَى تَجَاوَزَ لأُمَّتِي عَمَّا حَدَّثَتْ بِهِ أَنْفُسَهَا مَا لَمْ تَكَلَّمْ أَوْ تَعْمَلْ بِهِ»**.

[23] Divorcing By Way Of Understandable Signals

3433- It is narrated on the authority of Anas that Allah's Apostle "Allah's blessing and peace be upon him" had a good Persian neighbour, who used to cook a good kind of soup. One day, he went to Allah's Apostle "Allah's blessing and peace be upon him" and beckoned to him to come. Allah's Apostle "Allah's blessing and peace be upon him" pointed to A'ishah, i.e. "Let this (my wife) come with me!" but the other (his neighbour) beckoned to him in the negative twice or thrice. (The main point here is that many purposes including divorce are expressed by way of understandable signals).

[24] The Intent Of Speech

3434- It is narrated on the authority of Umar Ibn Al-Khattab that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(The validity and reward of) deeds depend upon intentions, and every person gets but what he has intended. So, whoever emigrated to Allah and His Messenger, then, his migration would be regarded for Allah and His Messenger; and whoever emigrated for worldly benefits, or for a woman to marry, his migration is for what he emigrated for."

[25] When A Word Is Meant To Express A Meaning Which It Never Bears, No Judgement Thereof Is Consequential

3435- It is narrated on the authority of Abu Hurairah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Consider how Allah Almighty diverts the abuses and curses of Quraish from me: they abuse Mudhammam (blameworthy) and send their curses upon Mudhammam (blameworthy), even though I'm Muhammad (Praiseworthy)!"

[26] Giving Respite For The Freedom Of Choice

3436- It is narrated on the authority of A'ishah that she said: When The Messenger of Allah "Allah's blessing and peace be upon him" was ordered by Allah to give his wives the freedom of choice (either to remain with him or to depart from him), he (The Prophet) started with me, saying: "I am going to tell you something to which you should give no hasty reply before consulting your parents", though he knows that my parents were not to order me to depart from him." Then, he recited: "O Prophet say to your Consorts: if it be that you desire the life of this world, and its glitter, then come I will provide for your enjoyment and set free in a handsome manner. But if you seek Allah and His Messenger, and the Home of the Hereafter, verily Allah has prepared for the well-doers amongst you a great reward."" (Al-Ahzab 28:29) I said: "What is that on which I should take my parents' opinion? Of course I want Allah, His Messenger, and the hereafter." Then all of The

(23) ـ الطَّلاقُ بالإشَارَةِ المَفْهُومَةِ

3433 ـ أَخْبَرَنَا أَبُو بَكْرِ بْنُ نَافِعٍ قَالَ: حَدَّثَنَا بَهْزٌ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنَا ثَابِتٌ عَنْ أَنَسٍ قَالَ: كَانَ لِرَسُولِ ٱللَّهِ ﷺ جَارٌ فَارِسِيٌّ طَيِّبُ الْمَرَقَةِ، فَأَتَى رَسُولَ ٱللَّهِ ﷺ ذَاتَ يَوْمٍ وَعِنْدَهُ عَائِشَةُ فَأَوْمَأَ إِلَيْهِ بِيَدِهِ أَنْ تَعَالَ وَأَوْمَأَ رَسُولُ ٱللَّهِ ﷺ إِلَى عَائِشَةَ أَيْ وَهٰذِهِ فَأَوْمَأَ إِلَيْهِ الآخَرُ هٰكَذَا بِيَدِهِ أَنْ لاَ مَرَّتَيْنِ أَوْ ثَلاَثاً.

(24) ـ بابُ الكَلامِ إذا قُصِدَ به فيما يَحْتَمِلُ مَعْنَاه

3434 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ مَسْلَمَةَ قَالَ: حَدَّثَنَا مَالِكٌ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: أَخْبَرَنِي مَالِكٌ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ بْنِ وَقَّاصٍ عَنْ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ ٱللَّهُ عَنْهُ وَفِي حَدِيثِ الْحَارِثِ أَنَّهُ سَمِعَ عُمَرَ يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنَّمَا الأَعْمَالُ بِالنِّيَّةِ وَإِنَّمَا لاِمْرِىءٍ مَا نَوَى فَمَنْ كَانَتْ هِجْرَتُهُ إِلَى ٱللَّهِ وَرَسُولِهِ فَهِجْرَتُهُ إِلَى ٱللَّهِ وَرَسُولِهِ وَمَنْ كَانَتْ هِجْرَتُهُ لِدُنْيَا يُصِيبُهَا أَوِ ٱمْرَأَةٍ يَتَزَوَّجُهَا فَهِجْرَتُهُ إِلَى مَا هَاجَرَ إِلَيْهِ»**.

(25) ـ بابُ الإبَانَةِ والإفْصَاحِ بالكَلِمَةِ المَلْفُوظِ بها إذا قُصِدَ بها لما لا يَحْتَمِلُ مَعْنَاها لم تُوجِبْ شَيْئاً ولم تُثْبِتْ حُكْماً

3435 ـ أَخْبَرَنَا عِمْرَانُ بْنُ بَكَّارٍ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ عَيَّاشٍ قَالَ: حَدَّثَنِي شُعَيْبٌ قَالَ: حَدَّثَنِي أَبُو الزِّنَادِ مِمَّا حَدَّثَهُ عَبْدُ الرَّحْمٰنِ الأَعْرَجُ مِمَّا ذَكَرَ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يُحَدِّثُ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«ٱنْظُرُوا كَيْفَ يَصْرِفُ ٱللَّهُ عَنِّي شَتْمَ قُرَيْشٍ وَلَعْنَهُمْ إِنَّهُمْ يَشْتِمُونَ مُذَمَّماً وَيَلْعَنُونَ مُذَمَّماً وَأَنَا مُحَمَّدٌ»**.

(26) ـ بابُ التَّوْقِيتِ في الخِيَارِ

3436 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَنْبَأَنَا يُونُسُ بْنُ يَزِيدَ وَمُوسَى بْنُ عَلِيٍّ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي أَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمٰنِ أَنَّ عَائِشَةَ زَوْجَ النَّبِيِّ ﷺ قَالَتْ: لَمَّا أُمِرَ رَسُولُ ٱللَّهِ ﷺ بِتَخْيِيرِ أَزْوَاجِهِ بَدَأَ بِي فَقَالَ: **«إِنِّي ذَاكِرٌ لَكِ أَمْراً فَلاَ عَلَيْكِ أَنْ لاَ تَعْجَلِي حَتَّى تَسْتَأْمِرِي أَبَوَيْكِ»** قَالَتْ: قَدْ عَلِمَ أَنَّ أَبَوَايَ لَمْ يَكُونَا لِيَأْمُرَانِي بِفِرَاقِهِ قَالَتْ: ثُمَّ تَلاَ هٰذِهِ الآيَةَ ﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ قُل لِّأَزْوَٰجِكَ إِن كُنتُنَّ تُرِدْنَ ٱلْحَيَوٰةَ ٱلدُّنْيَا﴾ إِلَى قَوْلِهِ ﴿جَمِيلًا﴾ [الأحزاب، الآية: 28] فَقُلْتُ: أَفِي هٰذَا أَسْتَأْمِرُ أَبَوَيَّ؟ فَإِنِّي أُرِيدُ ٱللَّهَ عَزَّ وَجَلَّ وَرَسُولَهُ وَالدَّارَ الآخِرَةَ.

wives of The Messenger of Allah "Allah's blessing and peace be upon him" did the same as I did. This, which The Messenger of Allah "Allah's blessing and peace be upon him" had said to him, thereupon they chose him, was not regarded as divorce, for indeed, they chose (to remain with) him.

3437- It is narrated on the authority of A'ishah that she said: When the following was revealed: "O Prophet say to your Consorts: if it be that you desire the life of this world, and its glitter, then come I will provide for your enjoyment and set free in a handsome manner", The Messenger of Allah "Allah's blessing and peace be upon him" started with me, saying: "I am going to tell you something to which you should give no hasty reply before consulting your parents", though he knows that my parents were not to order me to depart from him." Then, he recited: "O Prophet say to your Consorts: if it be that you desire the life of this world, and its glitter, then come I will provide for your enjoyment and set free in a handsome manner. But if you seek Allah and His Messenger, and the Home of the Hereafter, verily Allah has prepared for the well-doers amongst you a great reward."" (Al-Ahzab 28:29) I said: "What is that on which I should take my parents' opinion? Of a surety I want Allah and His Messenger."

[27] Such As Given The Freedom Of Choice Chooses Her Husband

3438- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" gave us (his wives) the freedom of choice (whether to remain with him or leave him), and we chose (to remain with) him: was that considered to be a divorce?

3439- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" gave his wives the freedom of choice (whether to remain with him or leave him), and (they chose to remain with him, and this is why) that was not a divorce.

3440- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" gave his wives the freedom of choice (whether to remain with him or leave him), and (they chose to remain with him, and this is why) that was not a divorce.

3441- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" gave his wives the freedom of choice (whether to remain with him or leave him, and they chose to remain with him): was that considered to be a divorce?

3442- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" gave us (his

قَالَتْ عَائِشَةُ: ثُمَّ فَعَلَ أَزْوَاجُ النَّبِيِّ ﷺ مِثْلَ مَا فَعَلْتُ وَلَمْ يَكُنْ ذٰلِكَ حِينَ قَالَ لَهُنَّ رَسُولُ ٱللَّهِ ﷺ وَٱخْتَرْنَهُ طَلاَقاً مِنْ أَجْلِ أَنَّهُنَّ ٱخْتَرْنَهُ.

3437 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ ثَوْرٍ عَنْ مَعْمَرٍ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: لَمَّا نَزَلَتْ: ﴿وَإِن كُنتُنَّ تُرِدْنَ ٱللَّهَ وَرَسُولَهُۥ﴾ [الأحزاب، الآية: 29] دَخَلَ عَلَيَّ النَّبِيُّ ﷺ بَدَأَ بِي فَقَالَ: «**يَا عَائِشَةُ إِنِّي ذَاكِرٌ لَكِ أَمْراً فَلاَ عَلَيْكِ أَنْ لاَ تَعْجَلِي حَتَّى تَسْتَأْمِرِي أَبَوَيْكِ**» قَالَتْ: قَدْ عَلِمَ وَٱللَّهِ أَنَّ أَبَوَيَّ لَمْ يَكُونَا لِيَأْمُرَانِي بِفِرَاقِهِ فَقَرَأَ عَلَيَّ: ﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ قُل لِّأَزْوَٰجِكَ إِن كُنتُنَّ تُرِدْنَ ٱلْحَيَوٰةَ ٱلدُّنْيَا وَزِينَتَهَا﴾ فَقُلْتُ: أَفِي هٰذَا أَسْتَأْمِرُ أَبَوَيَّ؟ فَإِنِّي أُرِيدُ ٱللَّهَ وَرَسُولَهُ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا خَطَأٌ وَالأَوَّلُ أَوْلَى بِالصَّوَابِ وَٱللَّهُ سُبْحَانَهُ وَتَعَالَى أَعْلَمُ.

(27) ـ بَابٌ فِي الْمُخَيَّرَةِ تَخْتَارُ زَوْجَهَا

3438 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى هُوَ ٱبْنُ سَعِيدٍ عَنْ إِسْمَاعِيلَ عَنْ عَامِرٍ عَنْ مَسْرُوقٍ عَنْ عَائِشَةَ قَالَتْ: «خَيَّرَنَا رَسُولُ ٱللَّهِ ﷺ فَٱخْتَرْنَاهُ فَهَلْ كَانَ طَلاَقاً؟».

3439 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَاصِمٍ قَالَ: قَالَ الشَّعْبِيُّ عَنْ مَسْرُوقٍ عَنْ عَائِشَةَ قَالَتْ: «قَدْ خَيَّرَ رَسُولُ ٱللَّهِ ﷺ نِسَاءَهُ فَلَمْ يَكُنْ طَلاَقاً».

3440 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِبْرَاهِيمَ بْنِ صُدْرَانَ عَنْ خَالِدِ بْنِ الْحَارِثِ قَالَ: حَدَّثَنَا أَشْعَثُ وَهُوَ ٱبْنُ عَبْدِ الْمَلِكِ عَنْ عَاصِمٍ عَنِ الشَّعْبِيِّ عَنْ مَسْرُوقٍ عَنْ عَائِشَةَ قَالَتْ: «قَدْ خَيَّرَ النَّبِيُّ ﷺ نِسَاءَهُ فَلَمْ يَكُنْ طَلاَقاً».

3441 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ سُلَيْمَانَ عَنْ أَبِي الضُّحَى عَنْ مَسْرُوقٍ عَنْ عَائِشَةَ قَالَتْ: «قَدْ خَيَّرَ رَسُولُ ٱللَّهِ ﷺ نِسَاءَهُ أَفَكَانَ طَلاَقاً؟».

3442 ـ أَخْبَرَنِي عَبْدُ ٱللَّهِ بْنُ مُحَمَّدٍ الضَّعِيفُ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ قَالَ: حَدَّثَنَا الأَعْمَشُ عَنْ مُسْلِمٍ عَنْ مَسْرُوقٍ عَنْ عَائِشَةَ قَالَتْ: «خَيَّرَنَا رَسُولُ ٱللَّهِ ﷺ

wives) the freedom of choice (whether to remain with him or leave him), and we chose (to remain with) him; and he regarded it of no significance.

[28] When Two Emancipated Slaves Are Given The Freedom Of Choice (To Hold Together Or Separate)

3443- It is narrated on the authority of Al-Qasim Ibn Muhammad that A'ishah had a (couple of a) slave and a slave-girl. She said: I intended to emancipate them, and when I made a mention of that to The Messenger of Allah "Allah's blessing and peace be upon him" he said to me: "Start with (emancipating) the slave first before the slave-girl." (The reason for that the woman should be given no authority to choose herself and leave him, for if she was emancipated first, she would be free, by the time he was still a slave, and in this way, she would have the right to depart from him if she so liked).

[29] When A Slave-Girl Is Given The Freedom Of Choice

3444- It is narrated on the authority of Al-Qasim Ibn Muhammad from A'ishah that she said: Three principles were established for Barirah: Barirah was manumitted. Then, The Messenger of Allah "Allah's blessing and peace be upon him" gave her the choice (either to stay with her husband or leave him, and she chose her freedom and separation from him). (Barirah's masters wanted to sell her on the condition that the allegiance i.e. the right of inheriting her property should be for them. I mentioned that to the Prophet, thereupon) The Messenger of Allah "Allah's blessing and peace be upon him" said: "The allegiance (i.e. the right of inheriting the property of a freed slave) is for the manumitter." (The people used to give her in charity, and she used to present to us gifts from those objects of charity given to her). One day, The Messenger of Allah "Allah's blessing and peace be upon him" came to visit me, and the cooking vessel was boiling with meat. Some bread and condiment were brought near to him, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Have I not seen a cooking vessel boiling with meat?" they said: "Yes, O Messenger of Allah! This meat was given to Barirah in charity." On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is (an object of) charity for her, and (an item of) gift for us."

3445- It is narrated on the authority of Al-Qasim Ibn Muhammad from A'ishah that she said: Three principles were established for Barirah: Barirah's masters wanted to sell her on the condition that the right of inheriting her property should be for them. I mentioned that to The Messenger of Allah "Allah's blessing and peace be upon him" who said: "Buy and then manumit her, for the right of inheriting the property of a slave

فَٱخْتَرْنَاهُ فَلَمْ يَعُدَّهَا عَلَيْنَا شَيْئاً».

(28) ـ خِيَارُ المَمْلُوكَيْنِ يُعْتَقَانِ

3443 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ مَسْعَدَةَ قَالَ: حَدَّثَنَا ٱبْنُ مَوْهِبٍ عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ قَالَ: كَانَ لِعَائِشَةَ غُلاَمٌ وَجَارِيَةٌ قَالَتْ: فَأَرَدْتُ أَنْ أُعْتِقَهُمَا فَذَكَرْتُ ذٰلِكَ لِرَسُولِ ٱللَّهِ ﷺ فَقَالَ: **«ٱبْدَئِي بِالْغُلاَمِ قَبْلَ الْجَارِيَةِ»**.

(29) ـ بابُ خِيَارِ الأَمَةِ

3444 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: أَنْبَأَنَا ٱبْنُ الْقَاسِمِ عَنْ مَالِكٍ عَنْ رَبِيعَةَ عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ عَنْ عَائِشَةَ زَوْجِ النَّبِيِّ ﷺ قَالَتْ: كَانَ فِي بَرِيرَةَ ثَلاَثُ سُنَنٍ إِحْدَى السُّنَنِ أَنَّهَا أُعْتِقَتْ فَخُيِّرَتْ فِي زَوْجِهَا وَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْوَلاَءُ لِمَنْ أَعْتَقَ»** وَدَخَلَ رَسُولُ ٱللَّهِ ﷺ وَالْبُرْمَةُ تَفُورُ بِلَحْمٍ فَقُرِّبَ إِلَيْهِ خُبْزٌ وَأُدْمٌ مِنْ أُدْمِ الْبَيْتِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«أَلَمْ أَرَ بُرْمَةً فِيهَا لَحْمٌ؟»** فَقَالُوا: بَلَى يَا رَسُولَ ٱللَّهِ ذٰلِكَ لَحْمٌ تُصُدِّقَ بِهِ عَلَى بَرِيرَةَ وَأَنْتَ لاَ تَأْكُلُ الصَّدَقَةَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«هُوَ عَلَيْهَا صَدَقَةٌ وَهُوَ لَنَا هَدِيَّةٌ»**.

3445 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ آدَمَ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنْ هِشَامٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: كَانَ فِي بَرِيرَةَ ثَلاَثُ قَضِيَّاتٍ أَرَادَ أَهْلُهَا أَنْ يَبِيعُوهَا وَيَشْتَرِطُوا الْوَلاَءَ فَذَكَرْتُ ذٰلِكَ لِلنَّبِيِّ ﷺ فَقَالَ: **«ٱشْتَرِيهَا وَأَعْتِقِيهَا فَإِنَّمَا الْوَلاَءُ لِمَنْ أَعْتَقَ» وَأُعْتِقَتْ**

is for the manumitter." Barirah was manumitted. Then, The Messenger of Allah "Allah's blessing and peace be upon him" gave her the choice (either to stay with her husband or leave him), and she chose her (freedom and separation from him). The people used to give her in charity, and she used to present to us gifts (from those objects of charity given to her). I mentioned that to The Messenger of Allah "Allah's blessing and peace be upon him" who said: "it is (an object of) charity for her , but it is a present for you. So, you could eat from it"

[30] When A Freed Slave-Girl Is Given The Freedom Of Choice, Even Though Her Husband Is A Free Person

3446- It is narrated on the authority of A'ishah that she said: I bought Barirah, and her masters stipulated the condition that the right of inheriting her property should be for them. I mentioned that to The Messenger of Allah "Allah's blessing and peace be upon him" who said: "(Buy and then) manumit her, for the right of inheriting the property of a slave is for the (manumitter, i.e. the) one who gives the price of emancipation." I then (bought and) manumitted her. Then, The Messenger of Allah "Allah's blessing and peace be upon him" invited her and gave her the choice (either to stay with her husband or leave him), and she said: "Even if he gives me such and such (wealth), I would not remain with him." In this way, she chose her (freedom and separation from him), and her husband was a free person.

3447- It is narrated on the authority of A'ishah that she wanted to buy Barirah in order to emancipate her, but they (her owners) stipulated that the right of inheriting her property should be for them. A'ishah mentioned that to The Messenger of Allah "Allah's blessing and peace be upon him" who said: "Buy and then emancipate her, for the right of inheriting the property of a freed slave is for the manumitter." Once, some meat was brought, and it was said that it was given To Barirah in charity. Upon this The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is (an object of) Charity for her, and it is a gift for us." (After her manumission) she was given the freedom of choice (whether to stay with her husband); and her husband was a free man.

[31] The Freed Slave-Girl Is Given The Freedom Of Choice, When Her Husband Is A Slave

3448- It is narrated on the authority of Urwah from A'ishah that she told that Barirah had a written deed from her masters to pay them nine ounces (of silver) in installments one per year in return for her emancipation. She came to A'ishah to seek her help. A'ishah said: "If your owners so like, I am ready

فَخَيَّرَهَا رَسُولُ ٱللَّهِ ﷺ فَٱخْتَارَتْ نَفْسَهَا وَكَانَ يُتَصَدَّقُ عَلَيْهَا فَتُهْدِي لَنَا مِنْهُ فَذَكَرْتُ ذٰلِكَ لِلنَّبِيِّ ﷺ فَقَالَ: «كُلُوهُ فَإِنَّهُ عَلَيْهَا صَدَقَةٌ وَهُوَ لَنَا هَدِيَّةٌ».

(30) ـ بابُ خِيَارِ الأَمَةِ تُعْتَقُ وزَوْجُها حُرٌّ

3446 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مَنْصُورٍ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ قَالَتْ: ٱشْتَرَيْتُ بَرِيرَةَ فَاشْتَرَطَ أَهْلُهَا وَلاَءَهَا فَذَكَرْتُ ذٰلِكَ لِلنَّبِيِّ ﷺ فَقَالَ: «**أَعْتِقِيهَا فَإِنَّمَا الْوَلاَءُ لِمَنْ أَعْطَى الْوَرِقَ**» قَالَتْ: فَأَعْتَقْتُهَا فَدَعَاهَا رَسُولُ ٱللَّهِ ﷺ فَخَيَّرَهَا مِنْ زَوْجِهَا قَالَتْ: لَوْ أَعْطَانِي كَذَا وَكَذَا مَا أَقَمْتُ عِنْدَهُ فَاخْتَارَتْ نَفْسَهَا وَكَانَ زَوْجُهَا حُرّاً.

3447 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ عَنْ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا شُعْبَةُ عَنِ الْحَكَمِ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ: أَنَّهَا أَرَادَتْ أَنْ تَشْتَرِيَ بَرِيرَةَ فَاشْتَرَطُوا وَلاَءَهَا فَذَكَرَتْ ذٰلِكَ لِلنَّبِيِّ ﷺ فَقَالَ: «**ٱشْتَرِيهَا وَأَعْتِقِيهَا فَإِنَّ الْوَلاَءَ لِمَنْ أَعْتَقَ**» وَأُتِيَ بِلَحْمٍ فَقِيلَ إِنَّ هٰذَا مِمَّا تُصُدِّقَ بِهِ عَلَى بَرِيرَةَ فَقَالَ: «**هُوَ لَهَا صَدَقَةٌ وَلَنَا هَدِيَّةٌ**». وَخَيَّرَهَا رَسُولُ ٱللَّهِ ﷺ وَكَانَ زَوْجُهَا حُرّاً.

(31) ـ بابُ خِيَارِ الأَمَةِ تُعْتَقُ وزَوْجُها مَمْلُوكٌ

3448 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا جَرِيرٌ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: كَاتَبَتْ بَرِيرَةُ عَلَى نَفْسِهَا بِتِسْعِ أَوَاقٍ فِي كُلِّ سَنَةٍ بِأُوقِيَّةٍ فَأَتَتْ عَائِشَةَ تَسْتَعِينُهَا فَقَالَتْ: لاَ إِلاَّ أَنْ يَشَاؤُوا أَنَّ

to pay the whole amount now provided that your masters agree that the right of inheriting the property of you will be for me." So, Barirah went to her masters and told them about that offer but they refused and insisted that the right of inheriting her property should be for them. She returned to A'ishah, by the time The Messenger of Allah "Allah's blessing and peace be upon him" had arrived. She told her of what her owners had said. She said: "No, by Allah unless the right of inheriting your property is for me." The Messenger of Allah "Allah's blessing and peace be upon him" said: "What is the matter?" she said: "O Messenger of Allah! Barirah came to seek my help to fulfill the written deed of her emancipation, and I said: "If they like, I could give it to them all at once, on the condition that the right of inheriting her property should be for me. She made a mention of that to her owners, but they refused and insisted that the right of inheriting the property should be for them." The Messenger of Allah "Allah's blessing and peace be upon him" said to her: "Buy (and emancipate) her and stipulate that the right of inheriting her property would be for you, since such a right is for him who manumitted." The Messenger of Allah "Allah's blessing and peace be upon him" stood up (to address the people). He praised Allah and lauded Him as He deserves. Then, he said: "To go further: What about people who impose conditions which are not in Allah's Book? What is the matter with those people who say: "Emancipate so-and-so, and the right of inheriting his property should be for us"? Allah's decisions are the right ones and His conditions are the strong firmer ones, and Any condition that is not in Allah's Book is invalid even if there were one hundred conditions." The Messenger of Allah "Allah's blessing and peace be upon him" gave her the freedom of choice (to remain with her husband or leave him) and her husband was a slave, and she chose herself (i.e. to be separated from him after she had been emancipated). Urwah said: Had he (her husband) been a free, The Messenger of Allah "Allah's blessing and peace be upon him" would not have given her such a freedom of choice.

3449- It is narrated on the authority of A'ishah that she said: Barirah's husband was a slave.

3450- It is narrated on the authority of Al-Qasim Ibn Muhammad from A'ishah that she intended to buy Barirah from some people among the Ansar, but they stipulated that the right of inheriting her property should be for them. The Messenger of Allah "Allah's blessing and peace be upon him" said: "The right of inheriting the property of a freed slave is for the manumitter." (After her manumission) The Messenger of Allah "Allah's blessing and peace be upon him" gave her the freedom of choice (either to stay with her husband or leave him), and her husband was a slave. Once,

أَعُدَّهَا لهم عَدَّةً وَاحِدَةً وَيَكُونُ الْوَلاَءُ لِي فَذَهَبَتْ بَرِيرَةُ فَكَلَّمَتْ فِي ذٰلِكَ أَهْلَهَا فَأَبَوْا عَلَيْهَا إلاَّ أَنْ يَكُونَ الْوَلاَءُ لَهُمْ فَجَاءَتْ إِلَى عَائِشَةَ وَجَاءَ رَسُولُ ٱللَّهِ ﷺ عِنْدَ ذٰلِكَ فَقَالَتْ لَهَا مَا قَالَ أَهْلُهَا. فَقَالَتْ: لاَهَا ٱللَّهِ إذاً إلاَّ أَنْ يَكُونَ الْوَلاَءُ لِي فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَا هٰذَا؟**» فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إنَّ بَرِيرَةَ أَتَتْنِي تَسْتَعِينُ بِي عَلَى كِتَابَتِهَا فَقُلْتُ: لاَ إلاَّ أَنْ يَشَاؤُوا أَنْ أَعُدَّهَا لَهُمْ عَدَّةً وَاحِدَةً وَيَكُونُ الْوَلاَءُ لِي فَذَكَرَتْ ذٰلِكَ لأَهْلِهَا فَأَبَوْا عَلَيْهَا إلاَّ أَنْ يَكُونَ الْوَلاَءُ لَهُمْ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**ٱبْتَاعِيهَا وَٱشْتَرِطِي لَهُمُ الْوَلاَءَ فَإِنَّ الْوَلاَءَ لِمَنْ أَعْتَقَ**» ثُمَّ قَامَ فَخَطَبَ النَّاسَ فَحَمِدَ ٱللَّهَ وَأَثْنَى عَلَيْهِ ثُمَّ قَالَ: «**مَا بَالُ أَقْوَامٍ يَشْتَرِطُونَ شُرُوطاً لَيْسَتْ فِي كِتَابِ ٱللَّهِ عَزَّ وَجَلَّ؟ يَقُولُونَ أَعْتِقْ فُلاَناً وَالْوَلاَءُ لِي كِتَابُ ٱللَّهِ عَزَّ وَجَلَّ أَحَقُّ وَشَرْطُ ٱللَّهِ أَوْثَقُ وَكُلُّ شَرْطٍ لَيْسَ فِي كِتَابِ ٱللَّهِ فَهُوَ بَاطِلٌ وَإِنْ كَانَ مِائَةَ شَرْطٍ**» فَخَيَّرَهَا رَسُولُ ٱللَّهِ ﷺ مِنْ زَوْجِهَا وَكَانَ عَبْداً فَاخْتَارَتْ نَفْسَهَا. قَالَ عُرْوَةُ: فَلَوْ كَانَ حُرًّا مَا خَيَّرَهَا رَسُولُ ٱللَّهِ ﷺ.

3449 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا الْمُغِيرَةُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنَا وُهَيْبٌ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عُمَرَ عَنْ يَزِيدَ بْنِ رُومَانَ عَنْ عُرْوَةَ عَنْ عَائِشَةَ رَضِيَ ٱللَّهُ عَنْهَا قَالَتْ: «كَانَ زَوْجُ بَرِيرَةَ عَبْداً».

3450 ـ أَخْبَرَنَا الْقَاسِمُ بْنُ زَكَرِيَّا بنِ دِينَارٍ قَالَ: حَدَّثَنَا حُسَيْنٌ عَنْ زَائِدَةَ عَنْ سِمَاكٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ عَنْ عَائِشَةَ: أَنَّهَا ٱشْتَرَتْ بَرِيرَةَ مِنْ أُنَاسٍ مِنَ الأَنْصَارِ فَاشْتَرَطُوا الْوَلاَءَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**الْوَلاَءُ لِمَنْ وَلِيَ النِّعْمَةَ**» وَخَيَّرَهَا رَسُولُ ٱللَّهِ ﷺ وَكَانَ زَوْجُهَا عَبْداً

Barirah presented to A'ishah some meat, whereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Why would you not prepare a meal from that meat?" A'ishah said: "It was given to Barirah in charity." The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is (an object of) charity for her, and it is a present for us."

3451- It is narrated on the authority of A'ishah that she said: I asked The Messenger of Allah "Allah's blessing and peace be upon him" about Barirah whom I intended to buy, but her masters stipulated that the right of inheriting her property should be for them. He said: "Buy her, for the right of inheriting the property of a freed slave should be for the manumitter. (After she had been emancipated) she was given the freedom of choice (to remain with her husband or leave him), and her husband was a slave. (the Sub-narrator said after that: I do not know (whether he was a slave or a free person)). Some meat was given as a gift to The Messenger of Allah "Allah's blessing and peace be upon him" and it was said: "This is out of what has been given to Barirah in charity." On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is (an object of) charity for her, and an (item of) present for us."

[32] The Oath To Keep Aloof From One's Wife

3452- It is narrated on the authority of Abu Ad-Duha that he said: We discussed (the number of the days of the) lunar month, thereupon some of us regarded it as thirty days, and others as twenty-nine days. Abu Ad-Duha said: Ibn Abbas related to us: The morning came upon us while the wives of The Messenger of Allah "Allah's blessing and peace be upon him" were weeping, and each of them had her family in her house. I entered the mosque and behold! It was crowded with the people. Umar came and ascended to The Messenger of Allah "Allah's blessing and peace be upon him", who was in an attic upper room. He paid salutation, but there was no reply. He paid salutation once again, but there was no reply. He paid salutation (for the third time) and there was no reply. He returned and called Bilal and then he (was admitted and he) entered upon The Messenger of Allah "Allah's blessing and peace be upon him" and said: "Have you divorced your wives?" he said: "No, but I've taken oath to keep aloof from them for a month." He spent twenty-nine days after which he descended and visited his wives.

3453- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" kept aloof from his wives for a month in an attic upper room belonging to him, and when twenty-nine nights elapsed, he descended, and it was said to him: "O Messenger of Allah! Have you not taken oath to keep aloof from your wives for a month?" The

وَأَهْدَتْ لِعَائِشَةَ لَحماً فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**لَوْ وَضَعْتُمْ لَنَا مِنْ هٰذَا اللَّحْمِ**» قَالَتْ عَائِشَةُ: تُصُدِّقَ بِهِ عَلَى بَرِيرَةَ فَقَالَ: «**هُوَ عَلَيْهَا صَدَقَةٌ وَهُوَ لَنَا هَدِيَّةٌ**».

3451 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي بُكَيْرٍ الْكَرْمَانِيُّ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَ: وَكَانَ وَصِيَّ أَبِيهِ قَالَ: وَفَرِقْتُ أَنْ أَقُولَ سَمِعْتُهُ مِنْ أَبِيكَ قَالَتْ عَائِشَةُ: سَأَلْتُ رَسُولَ ٱللَّهِ ﷺ عَنْ بَرِيرَةَ وَأَرَدْتُ أَنْ أَشْتَرِيَهَا وَٱشْتَرِطَ الْوَلاَءُ لأَهْلِهَا فَقَالَ: «**ٱشْتَرِيهَا فَإِنَّ الْوَلاَءَ لِمَنْ أَعْتَقَ**» قَالَ: وَخُيِّرَتْ وَكَانَ زَوْجُهَا عَبْداً (ثُمَّ قَالَ بَعْدَ ذٰلِكَ مَا أَدْرِي) وَأُتِيَ رَسُولُ ٱللَّهِ ﷺ بِلَحْمٍ فَقَالُوا: هٰذَا مِمَّا تُصُدِّقَ بِهِ عَلَى بَرِيرَةَ قَالَ: «**هُوَ لَهَا صَدَقَةٌ وَلَنَا هَدِيَّةٌ**».

(32) ـ بابُ الإيلاءِ

3452 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْحَكَمِ الْبَصْرِيُّ قَالَ: حَدَّثَنَا مَرْوَانُ ابْنُ مُعَاوِيَةَ قَالَ: حَدَّثَنَا أَبُو يَعْفُورٍ عَنْ أَبِي الضُّحَى قَالَ: تَذَاكَرْنَا الشَّهْرَ عِنْدَهُ فَقَالَ بَعْضُنَا: ثَلاَثِينَ وَقَالَ بَعْضُنَا: تِسْعاً وَعِشْرِينَ فَقَالَ أَبُو الضُّحَى: حَدَّثَنَا ٱبْنُ عَبَّاسٍ قَالَ: أَصْبَحْنَا يَوْماً وَنِسَاءُ النَّبِيِّ ﷺ يَبْكِينَ عِنْدَ كُلِّ ٱمْرَأَةٍ مِنْهُنَّ أَهْلُهَا فَدَخَلْتُ الْمَسْجِدَ فَإِذَا هُوَ مَلآنٌ مِنَ النَّاسِ قَالَ: فَجَاءَ عُمَرُ رَضِيَ ٱللَّهُ عَنْهُ فَصَعَدَ إِلَى النَّبِيِّ ﷺ وَهُوَ فِي عُلِّيَّةٍ لَهُ فَسَلَّمَ عَلَيْهِ فَلَمْ يُجِبْهُ أَحَدٌ ثُمَّ سَلَّمَ فَلَمْ يُجِبْهُ أَحَدٌ ثُمَّ سَلَّمَ فَلَمْ يُجِبْهُ أَحَدٌ فَرَجَعَ فَنَادَى بِلاَلاً فَدَخَلَ عَلَى النَّبِيِّ ﷺ فَقَالَ: أَطَلَّقْتَ نِسَاءَكَ فَقَالَ: «**لاَ وَلٰكِنِّي آلَيْتُ مِنْهُنَّ شَهْراً**» فَمَكَثَ تِسْعاً وَعِشْرِينَ ثُمَّ نَزَلَ فَدَخَلَ عَلَى نِسَائِهِ.

3453 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا حُمَيْدٌ عَنْ أَنَسٍ قَالَ: آلَى النَّبِيُّ ﷺ مِنْ نِسَائِهِ شَهْراً فِي مَشْرَبَةٍ لَهُ فَمَكَثَ تِسْعاً وَعِشْرِينَ

Messenger of Allah "Allah's blessing and peace be upon him" said: "The (lunar) month might consist of twenty-nine (days)."

[33] What About Zihar?

(It is to make one's wife unlawful for him as far as sexual relation is concerned, the same as is the back of his mother for him.)

3454- It is narrated on the authority of Ibn Abbas that a man made his wife unlawful for him by way of Zihar; and then he had sexual intercourse with her before making expiation. He came to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him, thereupon he said: "What led you to do so?" he said: "I saw her bangle in the moonlight (which stimulated in me the desire for her)." On that the Messenger of Allah "Allah's blessing and peace be upon him" ordered him not to approach her until he would make expiation.

3455- It is narrated on the authority of Ikrimah that a man made his wife unlawful for him by way of Zihar; and then he had sexual intercourse with her before making expiation. He came to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him, thereupon he said: "What led you to do so?" he said: "Allah's Mercy be upon you O Messenger of Allah! I saw her bangle in the moonlight (which stimulated in me the desire for her)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Keep aloof from her until you do what Allah Almighty has ordered you to do (i.e. to make expiation for that)."

3456- It is narrated on the authority of Ikrimah that a man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! So and so (referring to himself) has made his wife unlawful for him by way of Zihar; and then he had sexual intercourse with her before fulfilling what was due upon him (i.e. the expiation relating to that)." the Messenger of Allah "Allah's blessing and peace be upon him" said: "What led you to do so?" he said: "Allah's Mercy be upon you O Messenger of Allah! I saw the whiteness of her legs in the moonlight (which stimulated in me the desire for her)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Keep aloof from her until you fulfill what is due upon you (i.e. make expiation for that)."

3457- It is narrated on the authority of A'ishah that she said: "Praise be to Allah Almighty, Whose Hearing encompasses all things. Khawlah came to the Messenger of Allah "Allah's blessing and peace be upon him" complaining her husband, and some of her speech was hidden from me,

لَيْلَةً ثُمَّ نَزَلَ فَقِيلَ: يَا رَسُولَ ٱللَّهِ أَلَيْسَ آلَيْتَ عَلَى شَهْرٍ قَالَ: «**الشَّهْرُ تِسْعٌ وَعِشْرُونَ**».

(33) ـ بَابُ الظِّهَارِ

3454 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ حُرَيْثٍ قَالَ: حَدَّثَنَا الْفَضْلُ بْنُ مُوسَى عَنْ مَعْمَرٍ عَنِ الْحَكَمِ بْنِ أَبَانَ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَجُلاً أَتَى النَّبِيَّ ﷺ قَدْ ظَاهَرَ مِنَ ٱمْرَأَتِهِ فَوَقَعَ عَلَيْهَا فَقَالَ: يَا رَسُولَ ٱللَّهِ إِنِّي ظَاهَرْتُ مِنَ ٱمْرَأَتِي فَوَقَعْتُ قَبْلَ أَنْ أُكَفِّرَ قَالَ: «**وَمَا حَمَلَكَ عَلَى ذٰلِكَ يَرْحَمُكَ ٱللَّهُ؟**» قَالَ: رَأَيْتُ خَلْخَالَهَا فِي ضَوْءِ الْقَمَرِ فَقَالَ: «**لاَ تَقْرَبْهَا حَتَّى تَفْعَلَ مَا أَمَرَ ٱللَّهُ عَزَّ وَجَلَّ**».

3455 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنِ الْحَكَمِ ابْنِ أَبَانَ عَنْ عِكْرِمَةَ قَالَ: تَظَاهَرَ رَجُلٌ مِنَ ٱمْرَأَتِهِ فَأَصَابَهَا قَبْلَ أَنْ يُكَفِّرَ فَذَكَرَ ذٰلِكَ لِلنَّبِيِّ ﷺ فَقَالَ لَهُ النَّبِيُّ ﷺ: «**مَا حَمَلَكَ عَلَى ذٰلِكَ؟**» قَالَ: رَحِمَكَ ٱللَّهُ يَا رَسُولَ ٱللَّهِ رَأَيْتُ خَلْخَالَهَا أَوْ سَاقَيْهَا فِي ضَوْءِ الْقَمَرِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**فَاعْتَزِلْهَا حَتَّى تَفْعَلَ مَا أَمَرَكَ ٱللَّهُ عَزَّ وَجَلَّ**».

3456 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا الْمُعْتَمِرُ ح. وَأَنْبَأَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا الْمُعْتَمِرُ قَالَ: سَمِعْتُ الْحَكَمَ بْنَ أَبَانَ قَالَ: سَمِعْتُ عِكْرِمَةَ قَالَ: أَتَى رَجُلٌ نَبِيَّ ٱللَّهِ ﷺ فَقَالَ: يَا نَبِيَّ ٱللَّهِ إِنَّهُ ظَاهَرَ مِنَ ٱمْرَأَتِهِ، ثُمَّ غَشِيَهَا قَبْلَ أَنْ يَفْعَلَ مَا عَلَيْهِ قَالَ: «**مَا حَمَلَكَ عَلَى ذٰلِكَ؟**» قَالَ: يَا نَبِيَّ ٱللَّهِ رَأَيْتُ بَيَاضَ سَاقَيْهَا فِي الْقَمَرِ، قَالَ نَبِيُّ ٱللَّهِ ﷺ: «**فَٱعْتَزِلْ حَتَّى تَقْضِيَ مَا عَلَيْكَ**». وَقَالَ إِسْحَاقُ فِي حَدِيثِهِ: «**فَٱعْتَزِلْهَا حَتَّى تَقْضِيَ مَا عَلَيْكَ**» وَاللَّفْظُ لِمُحَمَّدٍ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: الْمُرْسَلُ أَوْلَى بِالصَّوَابِ مِنَ الْمُسْنَدِ وَٱللَّهُ سُبْحَانَهُ وَتَعَالَى أَعْلَمُ.

3457 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا جَرِيرٌ عَنِ الأَعْمَشِ عَنْ تَمِيمِ بْنِ سَلَمَةَ عَنْ عُرْوَةَ عَنْ عَائِشَةَ أَنَّهَا قَالَتْ: الْحَمْدُ لِلَّهِ الَّذِي وَسِعَ سَمْعُهُ الأَصْوَاتَ لَقَدْ جَاءَتْ خَوْلَةُ إِلَى رَسُولِ ٱللَّهِ ﷺ تَشْكُو زَوْجَهَا فَكَانَ يَخْفَى عَلَيَّ كَلاَمُهَا فَأَنْزَلَ

thereupon Allah Almighty revealed: "Allah has indeed heard (and accepted) the statement of the woman who pleads with you concerning her husband." (Al-Mujadilah 1)

[34] The Divorce At The Wife's Request

3458- It is narrated on the authority of Abu Hurairah from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "Such of women as seek to leave their husbands by way of divorce at their request (with no legal excuse) are the hypocrites."

3459- It is narrated on the authority of Amrah Bint Abd Ar-Rahman that Habibah Bint Sahl was the wife of Thabit Ibn Qais Ibn Shamas. One day, the Messenger of Allah "Allah's blessing and peace be upon him" came out to offer the Morning prayer, and he found Habibah Bint Sahl standing in the darkness near his gate. The Messenger of Allah "Allah's blessing and peace be upon him" asked: "Who is she?" she said: "I'm Habibah Bint Sahl." He asked: "What is the matter with you?" she said: "Neither I nor Thabit Ibn Qais (her husband are fitting as spouses for each other)." When Thabit Ibn Qais came the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "This is Habibah Bint Sahl." She mentioned what Allah willed her to mention, and said: "O Messenger of Allah! All that he has given to me is with me (and I'm ready to give everything back to him)." The Messenger of Allah "Allah's blessing and peace be upon him" said to Thabit Ibn Qais: "Take from her." (He parted them and) she joined the house of her family.

3460- It is narrated on the authority of Ibn Abbas that he said: The wife of Thabit Ibn Qais Ibn Shamas came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Allah's Apostle! I do not find fault with Thabit for defects in his character or his religion, but I, being a Muslim, dislike to behave in non-Islamic manner (if I remain with him)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said (to her): "Will you give back the garden which he has given to you (as dower)?" She said: "Yes." She gave it back. Then the Messenger of Allah "Allah's blessing and peace be upon him" told Thabit to divorce her once.

3461- It is narrated on the authority of Ibn Abbas that he said: A man went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "My wife never prevents the hand of such as likes to touch her (from reaching her)." He said to him: "Divorce her." He said: "I am afraid that my heart will keep attached to her." On that he said to him: "Then (keep her with the intention to) take your pleasure from her."

ٱللَّهُ عَزَّ وَجَلَّ: ﴿قَدْ سَمِعَ ٱللَّهُ قَوْلَ ٱلَّتِي تُجَٰدِلُكَ فِي زَوْجِهَا وَتَشْتَكِيٓ إِلَى ٱللَّهِ وَٱللَّهُ يَسْمَعُ تَحَاوُرَكُمَآ﴾ [المجادلة: 1]. الآيَةَ.

(34) ـ بابُ ما جاءَ في الخُلْعِ

3458 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا الْمَخْزُومِيُّ وَهُوَ الْمُغِيرَةُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنَا وُهَيْبٌ عَنْ أَيُّوبَ عَنِ الْحَسَنِ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ: «**الْمُنْتَزِعَاتُ وَالْمُخْتَلِعَاتُ هُنَّ الْمُنَافِقَاتُ**». قَالَ الْحَسَنُ: لَمْ أَسْمَعْهُ مِنْ غَيْرِ أَبِي هُرَيْرَةَ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: الْحَسَنُ لَمْ يَسْمَعْ مِنْ أَبِي هُرَيْرَةَ شَيْئاً.

3459 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: أَنْبَأَنَا ٱبْنُ الْقَاسِمِ عَنْ مَالِكٍ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ عَمْرَةَ بِنْتِ عَبْدِ الرَّحْمٰنِ: أَنَّهَا أَخْبَرَتْهُ عَنْ حَبِيبَةَ بِنْتِ سَهْلٍ أَنَّهَا كَانَتْ تَحْتَ ثَابِتِ بْنِ قَيْسِ بْنِ شَمَّاسٍ وَأَنَّ رَسُولَ ٱللَّهِ ﷺ خَرَجَ إِلَى الصُّبْحِ فَوَجَدَ حَبِيبَةَ بِنْتَ سَهْلٍ عِنْدَ بَابِهِ فِي الْغَلَسِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ هٰذِهِ؟**» قَالَتْ: أَنَا حَبِيبَةُ بِنْتُ سَهْلٍ يَا رَسُولَ ٱللَّهِ قَالَ: «**مَا شَأْنُكِ؟**» قَالَتْ: لاَ أَنَا وَلاَ ثَابِتُ بْنُ قَيْسٍ لِزَوْجِهَا فَلَمَّا جَاءَ ثَابِتُ بْنُ قَيْسٍ قَالَ لَهُ رَسُولُ ٱللَّهِ ﷺ: «**هٰذِهِ حَبِيبَةُ بِنْتُ سَهْلٍ قَدْ ذَكَرَتْ مَا شَاءَ ٱللَّهُ أَنْ تَذْكُرَ**». فَقَالَتْ حَبِيبَةُ: يَا رَسُولَ ٱللَّهِ كُلُّ مَا أَعْطَانِي عِنْدِي فَقَالَ رَسُولُ ٱللَّهِ ﷺ لِثَابِتٍ: «**خُذْ مِنْهَا**». فَأَخَذَ مِنْهَا وَجَلَسَتْ فِي أَهْلِهَا.

3460 ـ أَخْبَرَنَا أَزْهَرُ بْنُ جَمِيلٍ قَالَ: حَدَّثَنَا عَبْدُ الْوَهَّابِ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ ٱمْرَأَةَ ثَابِتِ بْنِ قَيْسٍ أَتَتِ النَّبِيَّ ﷺ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ ثَابِتُ بْنُ قَيْسٍ أَمَا إِنِّي مَا أَعِيبُ عَلَيْهِ فِي خُلُقٍ وَلاَ دِينٍ وَلٰكِنِّي أَكْرَهُ الْكُفْرَ فِي الإِسْلاَمِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**أَتَرُدِّينَ عَلَيْهِ حَدِيقَتَهُ؟**» قَالَتْ: نَعَمْ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**اقْبَلِ الْحَدِيقَةَ وَطَلِّقْهَا تَطْلِيقَةً**».

3461 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ حُرَيْثٍ قَالَ: حَدَّثَنَا الْفَضْلُ بْنُ مُوسَى قَالَ: حَدَّثَنَا الْحُسَيْنُ بْنُ وَاقِدٍ عَنْ عُمَارَةَ بْنِ أَبِي حَفْصَةَ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنَّ ٱمْرَأَتِي لاَ تَمْنَعُ يَدَ لاَمِسٍ فَقَالَ: «**غَرِّبْهَا إِنْ شِئْتَ**» قَالَ: إِنِّي أَخَافُ أَنْ تَتْبَعَهَا نَفْسِي قَالَ: «**ٱسْتَمْتِعْ بِهَا**».

3462- It is narrated on the authority of Ibn Abbas that he said: A man went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've got a woman (my wife) and she never prevents the hand of such as likes to touch her (from reaching her)." He said to him: "Divorce her." He said: "I could not keep patient on leaving her." On that he said to him: "Then keep her (with the intention to take your pleasure from her)."

[35] What About Li'an

(It is to invoke Allah's Curse upon the liar of the couple, when the husband launches a charge against his wife that she has committed adultery, and he has no four witnesses to affirm his claim).

3463- It is narrated on the authority of Sahl Ibn Sa'd As-Sa'idi that Asim Ibn Adi said: Uwaimir Al-Ajlani came to me and said: "What do you say, O Asim, about a man who has found another man with his wife? Should he kill him whereupon you would kill him (The husband), or what should he do? Please, O Asim, ask Allah's Apostle "Allah's blessing and peace be upon him" about this matter on my behalf." I asked The Messenger of Allah "Allah's blessing and peace be upon him" about that. But Allah's Apostle "Allah's blessing and peace be upon him" disliked the question and considered it as shameful. Then Uwaimir came to him and asked: "O Asim! What did you do?" Asim replied: "What I did was that you brought to me no good. Allah's Apostle "Allah's blessing and peace be upon him" disliked such questions and considered them as shameful." Uwaimir then said: "By Allah, I will ask Allah's Apostle "Allah's blessing and peace be upon him" about it." Uwaimir came to The Prophet "Allah's blessing and peace be upon him" and asked about that, thereupon Allah's Apostle "Allah's blessing and peace be upon him" said: "Allah has revealed regarding you and your wife's case in the Qur'an. Go and bring her." Sahl told: while I was present among the people with The Messenger of Allah "Allah's blessing and peace be upon him" he brought her. They performed the measures of Li'an (invoking Allah's curse upon the liar). Uwaimir said: "O Allah's Apostle! If I kept her I would be a liar." So Uwaimir divorced her before being ordered by Allah's Apostle "Allah's blessing and peace be upon him". In this way, divorce became a tradition after them for those who happened to be involved in a case of invoking Allah's curse upon the liar of the couple (husband and wife when she is accused of committing adultery).

3462 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا النَّضْرُ بْنُ شُمَيْلٍ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ قَالَ: أَنْبَأَنَا هَارُونُ بْنُ رِئَابٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عُبَيْدِ بْنِ عُمَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ رَجُلاً قَالَ: يَا رَسُولَ ٱللَّهِ إِنَّ تَحْتِي امْرَأَةً لاَ تَرُدُّ يَدَ لاَمِسٍ قَالَ: «**طَلِّقْهَا**» قَالَ: إِنِي لاَ أَصْبِرُ عَنْهَا قَالَ: «**فَأَمْسِكْهَا**».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا خَطَأٌ وَالصَّوَابُ مُرْسَلٌ.

(35) ـ بَابُ بَدْءِ اللِّعَانِ

3463 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْمَرٍ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ أَبِي سَلَمَةَ وَإِبْرَاهِيمُ بْنُ سَعْدٍ عَنِ الزُّهْرِيِّ عَنْ سَهْلِ بْنِ سَعْدٍ عَنْ عَاصِمِ بْنِ عَدِيٍّ قَالَ: جَاءَنِي عُوَيْمِرٌ رَجُلٌ مِنْ بَنِي الْعَجْلاَنَ فَقَالَ أَيْ عَاصِمُ: أَرَأَيْتُمْ رَجُلاً رَأَى مَعَ ٱمْرَأَتِهِ رَجُلاً أَيَقْتُلُهُ فَتَقْتُلُونَهُ أَمْ كَيْفَ يَفْعَلُ؟ يَا عَاصِمُ سَلْ لِي رَسُولَ ٱللَّهِ ﷺ فَسَأَلَ عَاصِمٌ عَنْ ذٰلِكَ النَّبِيَّ ﷺ فَعَابَ رَسُولُ ٱللَّهِ ﷺ الْمَسَائِلَ وَكَرِهَهَا فَجَاءَهُ عُوَيْمِرٌ فَقَالَ: مَا صَنَعْتَ يَا عَاصِمُ؟ فَقَالَ: صَنَعْتُ أَنَّكَ لَمْ تَأْتِنِي بِخَيْرٍ كَرِهَ رَسُولُ ٱللَّهِ ﷺ الْمَسَائِلَ وَعَابَهَا قَالَ عُوَيْمِرٌ: وَٱللَّهِ لأَسْأَلَنَّ عَنْ ذٰلِكَ رَسُولَ ٱللَّهِ ﷺ فَانْطَلَقَ إِلَى رَسُولِ ٱللَّهِ ﷺ فَسَأَلَهُ فَقَالَ لَهُ رَسُولُ ٱللَّهِ ﷺ: «**قَدْ أَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ فِيكَ وَفِي صَاحِبَتِكَ فَائْتِ بِهَا**». قَالَ سَهْلٌ: وَأَنَا مَعَ النَّاسِ عِنْدَ رَسُولِ ٱللَّهِ ﷺ فَجَاءَ بِهَا فَتَلاَعَنَا فَقَالَ: يَا رَسُولَ ٱللَّهِ وَٱللَّهِ لَئِنْ أَمْسَكْتُهَا لَقَدْ كَذَبْتُ عَلَيْهَا فَفَارَقَهَا قَبْلَ أَنْ يَأْمُرَهُ رَسُولُ ٱللَّهِ ﷺ بِفِرَاقِهَا فَصَارَتْ سُنَّةَ الْمُتَلاَعِنَيْنِ.

[36] Practicing Li'an On The Basis Of Pregnancy

3464- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" ordered that the measures of Li'an (invoking Allah's Curse upon the liar of the couple when the wife is accused of committing adultery) be carried out between Al-Ajlani and his wife, and she was pregnant.

[37] Practicing Li'an When One Accuses His Wife Of Committing Adultery With A Certain Man

3465- It is narrated on the authority of Hisham about the man who accuses his wife of committing adultery, and he transmitted from Muhammad that he said: I asked Anas Ibn Malik, thinking that he had knowledge (of the matter of invoking curse). He said: Hilal Ibn Umayyah accused his wife of committing adultery with Sharik Ibn Sahma. He was the half-brother of Al-Bara Ibn Malik, from the side of his mother. He was the first man to carry out (the measures of) invoking curses (upon the liar of the couple) in Islam. Both of them implemented (the measures of) invoking curses. Then, The Messenger of Allah "Allah's blessing and peace be upon him" said: "Watch her: If she delivered a white-complexioned, lank-haired and red-eyed child, then, he (such a child) should be (the son of) Hilal Ibn Umayyah (who would be, in turn, regarded to have accused her falsely); and if she delivered a blacked-eyed, curly-haired child of thin shins, then he (such a child) should be (the son) of Sharik Ibn Sahma (and in this case she should have committed fornication)." I (the narrator) was told then that she delivered a blacked-eyed, curly-haired child, with thin shins.

[38] The Measures Of Li'an

3466- It is narrated on the authority of Anas that he said: The first Li'an in Islam to be carried out was that Hilal Ibn Umayyah accused his wife of committing adultery with Sharik Ibn Sahma. He went and filed the case before The Messenger of Allah "Allah's blessing and peace be upon him". The Messenger of Allah "Allah's blessing and peace be upon him" said (to Hilal): "Either you bring forth (a proof of four witnesses) or you will receive the legal punishment (lashes) on your back." He said the same to him repeatedly, thereupon Hilal said: "By Allah, O Allah's Apostle! Allah Almighty knows for certain that I've told the truth, and He Almighty will reveal to you what will save my back from legal punishment." Such being the case, the Holy Verse of Li'an was revealed to him: "And for those who launch a charge against their spouses, and have (in support) no evidence but their own, their solitary evidence (can be received) if they bear witness four

(36) ـ بابُ اللِّعَانِ بالحَبَلِ

3464 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي بَكْرٍ قَالَ: حَدَّثَنَا عُمَرُ بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ عُقْبَةَ عَنْ أَبِي الزِّنَادِ عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: «لاَعَنَ رَسُولُ ٱللَّهِ ﷺ بَيْنَ الْعَجْلاَنِيِّ وَٱمْرَأَتِهِ وَكَانَتْ حُبْلَى».

(37) ـ بابُ اللِّعَانِ في قَذْفِ الرَّجُلِ زَوْجَتَهُ برَجُلٍ بعَيْنِهِ

3465 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الأَعْلَى قَالَ: سُئِلَ هِشَامٌ عَنِ الرَّجُلِ يَقْذِفُ ٱمْرَأَتَهُ فَحَدَّثَنَا هِشَامٌ عَنْ مُحَمَّدٍ قَالَ: سَأَلْتُ أَنَسَ بْنَ مَالِكٍ عَنْ ذٰلِكَ وَأَنَا أَرَى أَنَّ عِنْدَهُ مِنْ ذٰلِكَ عِلْماً فَقَالَ: إِنَّ هِلاَلَ بْنَ أُمَيَّةَ قَذَفَ ٱمْرَأَتَهُ بِشَرِيكِ ابْنِ السَّحْمَاءِ وَكَانَ أَخُو الْبَرَاءِ بْنِ مَالِكٍ لأُمِّهِ وَكَانَ أَوَّلَ مَنْ لاَعَنَ فَلاَعَنَ رَسُولُ ٱللَّهِ ﷺ بَيْنَهُمَا ثُمَّ قَالَ: **«ٱبْصُرُوهُ فَإِنْ جَاءَتْ بِهِ أَبْيَضَ سَبِطاً قَضِيءَ الْعَيْنَيْنِ فَهُوَ لِهِلاَلِ بْنِ أُمَيَّةَ وَإِنْ جَاءَتْ بِهِ أَكْحَلَ جَعْداً أَحْمَشَ السَّاقَيْنِ فَهُوَ لِشَرِيكِ ابْنِ السَّحْمَاءِ»** قَالَ: فَأُنْبِئْتُ أَنَّهَا جَاءَتْ بِهِ أَكْحَلَ جَعْداً أَحْمَشَ السَّاقَيْنِ.

(38) ـ كَيْفَ اللِّعَانُ

3466 ـ أَخْبَرَنَا عِمْرَانُ بْنُ يَزِيدَ قَالَ: حَدَّثَنَا مَخْلَدُ بْنُ حُسَيْنٍ الأَزْدِيُّ قَالَ: حَدَّثَنَا هِشَامُ بْنُ حَسَّانَ عَنْ مُحَمَّدِ بْنِ سِيرِينَ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: إِنَّ أَوَّلَ لِعَانٍ كَانَ فِي الإِسْلاَمِ أَنَّ هِلاَلَ بْنَ أُمَيَّةَ قَذَفَ شَرِيكَ ابْنَ السَّحْمَاءِ بِٱمْرَأَتِهِ فَأَتَى النَّبِيَّ ﷺ فَأَخْبَرَهُ بِذٰلِكَ فَقَالَ لَهُ النَّبِيُّ ﷺ: **«أَرْبَعَةَ شُهَدَاءَ وَإِلاَّ فَحَدٌّ فِي ظَهْرِكَ»**. يُرَدِّدُ ذٰلِكَ عَلَيْهِ مِرَاراً» فَقَالَ لَهُ هِلاَلٌ: وَٱللَّهِ يَا رَسُولَ ٱللَّهِ إِنَّ ٱللَّهَ عَزَّ وَجَلَّ لَيَعْلَمُ أَنِّي صَادِقٌ وَلَيَنْزِلَنَّ ٱللَّهُ عَزَّ وَجَلَّ عَلَيْكَ مَا يُبَرِّىءُ ظَهْرِي مِنَ الْجِلْدِ فَبَيْنَمَا هُمْ كَذٰلِكَ إِذْ نَزَلَتْ عَلَيْهِ آيَةُ اللِّعَانِ ﴿وَٱلَّذِينَ يَرْمُونَ أَزْوَاجَهُمْ﴾ [النور، الآية: 6] إِلَى آخر

times (with an oath) by Allah that they are solemnly telling the truth; And the fifth (oath) (should be) that they solemnly invoke the curse of Allah on themselves if they tell a lie. But it would avert the punishment from the wife, if she bears witness four times (with an oath) by Allah, that (her husband) is telling a lie; And the fifth (oath) should be that she solemnly invokes the wrath of Allah on herself if (her accuser) is telling the truth." (An-Nur 6:8) Then The Prophet "Allah's blessing and peace be upon him" invited Hilal who bore witness by Allah four times that he had told the truth, and the fifth was that Allah's Curse be upon him if he had told a lie. The woman was invited and bore witness by Allah four times that he (her husband) had told a lie, and when she was going to take the fourth or the fifth one (that the wrath of Allah be on herself if her accuser had told the truth), the Messenger of Allah "Allah's blessing and peace be upon him" said (to the people): "Stop her for it (the fifth oath) will definitely bring Allah's curse on you (if you are guilty)." So she hesitated and shrank back (from taking the oath) so much that we thought that she would confess of her guilt. But then she said: "I will not dishonour my family all through these days," and carried on the process of taking oaths. The Messenger of Allah "Allah's blessing and peace be upon him" then said: "Watch her: If she delivered a white-complexioned, lank-haired and red-eyed child, then, he (such a child) should be (the son of) Hilal Ibn Umayyah (who would be, in turn, regarded to have accused her falsely); and if she delivered a blacked-eyed, curly-haired child of thin shins, then he (such a child) should be (the son) of Sharik Ibn Sahma (and in this case she should have committed fornication)." She delivered a blacked-eyed, curly-haired child, with thin shins. So The Messenger of Allah "Allah's blessing and peace be upon him" said: "Had the case not been settled by Allah's Law, I would have punished her severely."

[39] When The Imam Says: "O Allah! Disclose The Truth!"

3467- It is narrated on the authority of Al-Qasim Ibn Muhammad: Ibn Abbas said: Once Li'an (invoking Allah's curse upon the liar of the couple when the wife is accused of committing adultery) was mentioned before The Prophet "Allah's blessing and peace be upon him" whereupon Asim Ibn Adi said something and went away. Then a man from his tribe came to him, complaining that he had found a man with his wife. Asim said: "I have not been put to trial except for my statement (about invoking Allah's curse upon the liar)." Asim took the man to The Prophet "Allah's blessing and peace be upon him" and the man told him of the state in which he had found his wife. The man was pale, thin, and of lank hair, while the other man, whom he claimed he had seen with his wife, was brown, fat and had much flesh on his calves. The Prophet "Allah's blessing and peace be upon him" invoked,

الآيَةَ فَدَعَا هِلاَلاً فَشَهِدَ أَرْبَعَ شَهَادَاتٍ بِاللهِ إِنَّهُ لَمِنَ الصَّادِقِينَ وَالْخَامِسَةَ أَنَّ لَعْنَةَ اللهِ عَلَيْهِ إِنْ كَانَ مِنَ الْكَاذِبِينَ ثُمَّ دُعِيَتِ الْمَرْأَةُ فَشَهِدَتْ أَرْبَعَ شَهَادَاتٍ بِاللهِ أَنَّهُ لَمِنَ الْكَاذِبِينَ فَلَمَّا أَنْ كَانَ فِي الرَّابِعَةِ أَوِ الْخَامِسَةِ قَالَ: رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ «**وَقِّفُوهَا فَإِنَّهَا مُوجِبَةٌ**» فَتَلَكَّأَتْ حَتَّى مَا شَكَكْنَا أَنَّهَا سَتَعْتَرِفُ ثُمَّ قَالَتْ: لاَ أَفْضَحُ قَوْمِي سَائِرَ الْيَوْمِ فَمَضَتْ عَلَى الْيَمِينِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**أَنْظُرُوهَا فَإِنْ جَاءَتْ بِهِ أَبْيَضَ سَبِطاً قَضِيءَ الْعَيْنَيْنِ فَهُوَ لِهِلاَلِ بْنِ أُمَيَّةَ وَإِنْ جَاءَتْ بِهِ آدَمَ جَعْداً رَبْعاً حَمْشَ السَّاقَيْنِ فَهُوَ لِشَرِيكِ ابْنِ السَّحْمَاءِ**» فَجَاءَتْ بِهِ آدَمَ جَعْداً رَبْعاً حَمْشَ السَّاقَيْنِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**لَوْلاَ مَا سَبَقَ فِيهَا مِنْ كِتَابِ ٱللَّهِ لَكَانَ لِي وَلَهَا شَأْنٌ**» قَالَ الشَّيْخُ: وَالْقَضِيءُ طَوِيلُ شَعْرِ الْعَيْنَيْنِ لَيْسَ بِمَفْتُوحِ الْعَيْنِ وَلاَ جَاحِظِهِمَا وَٱللَّهُ سُبْحَانَهُ وَتَعَالَى أَعْلَمُ.

(39) ـ بَابُ قَوْلِ الإِمَامِ اللَّهُمَّ بَيِّنْ

3467 ـ أَخْبَرَنَا عِيسَى بْنُ حُمَيْدٍ قَالَ: أَنْبَأَنَا ٱللَّيْثُ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ عَنِ ٱبْنِ عَبَّاسٍ أَنَّهُ قَالَ: ذُكِرَ التَّلاَعُنُ عِنْدَ رَسُولِ ٱللَّهِ ﷺ فَقَالَ عَاصِمُ بْنُ عَدِيٍّ فِي ذٰلِكَ قَوْلاً ثُمَّ ٱنْصَرَفَ فَأَتَاهُ رَجُلٌ مِنْ قَوْمِهِ يَشْكُو إِلَيْهِ أَنَّهُ وَجَدَ مَعَ ٱمْرَأَتِهِ رَجُلاً قَالَ عَاصِمٌ: مَا ٱبْتُلِيتُ بِهٰذَا إِلاَّ بِقَوْلِي فَذَهَبَ بِهِ إِلَى رَسُولِ ٱللَّهِ ﷺ فَأَخْبَرَهُ بِالَّذِي وَجَدَ عَلَيْهِ ٱمْرَأَتَهُ وَكَانَ ذٰلِكَ الرَّجُلُ مُصْفَرّاً قَلِيلَ اللَّحْمِ سَبِطَ الشَّعَرِ وَكَانَ الَّذِي ٱدَّعَى عَلَيْهِ أَنَّهُ وَجَدَهُ عِنْدَ أَهْلِهِ آدَمَ خَدْلاً كَثِيرَ اللَّحْمِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**ٱللَّهُمَّ بَيِّنْ**» فَوَضَعَتْ

saying: "O Allah! Disclose the truth." So that lady delivered a child resembling the man with whom her husband had mentioned he had found her. The Prophet "Allah's blessing and peace be upon him" then made them carry out (the measures of) Li'an (invoking Allah's curse upon the liar of them). A man in the session asked Ibn Abbas: "Was she the same lady in connection with whom The Prophet "Allah's blessing and peace be upon him" had said: "If I were to stone to death someone with no evidence, I would have stoned this lady?" Ibn Abbas said: "No, that was another lady who, though being a Muslim, used to arouse suspicion by her transparent misbehavior."

3468- It is narrated on the authority of Al-Qasim Ibn Muhammad: Abdullah Ibn Abbas said: Once Li'an (invoking Allah's curse upon the liar of the couple when the wife is accused of committing adultery) was mentioned before The Prophet "Allah's blessing and peace be upon him" whereupon Asim Ibn Adi said something and went away. Then a man from his tribe met him, and complained that he had found a man with his wife. Asim took the man to The Prophet "Allah's blessing and peace be upon him" and the man told him of the state in which he had found his wife. The man was pale, thin, and of lank hair, while the other man, whom he claimed he had seen with his wife, was brown and fat, and he had much flesh on his calves and curly hair. The Prophet "Allah's blessing and peace be upon him" invoked, saying: "O Allah! Disclose the truth." So that lady delivered a child resembling the man with whom her husband had mentioned he had found her. The Prophet "Allah's blessing and peace be upon him" then made them carry out (the measures of) Li'an (invoking Allah's curse upon the liar of them). A man in the session asked Ibn Abbas: "Was she the same lady in connection with whom The Prophet "Allah's blessing and peace be upon him" had said: "If I were to stone to death someone with no evidence, I would have stoned this lady?" Ibn Abbas said: "No, that was another lady who, though being a Muslim, used to arouse suspicion by her transparent misbehavior."

[40] Putting The Hand Over The Mouth Of Such As Involved In Carrying Out The Measures Of Li'an At The Fifth Witness

3469- It is narrated on the authority of Ibn Abbas that when the Messenger of Allah "Allah's blessing and peace be upon him" ordered a couple to carry out the measures of invoking Allah's Curse upon the liar of them, since the wife was accused of committing adultery, he ordered a man to put his hand over his mouth at the fifth witness and said: "No doubt, this (final witness) will assure (the punish for him in case he has told a lie)."

شَبِيهاً بِالرَّجُلِ الَّذِي ذَكَرَ زَوْجُهَا أَنَّهُ وَجَدَهُ عِنْدَهَا فَلاَعَنَ رَسُولُ ٱللَّهِ ﷺ بَيْنَهُمَا. فَقَالَ رَجُلٌ لاِبْنِ عَبَّاسٍ فِي الْمَجْلِسِ: أَهِيَ الَّتِي قَالَ رَسُولُ ٱللَّهِ ﷺ: «**لَوْ رَجَمْتُ أَحَداً بِغَيْرِ بَيِّنَةٍ رَجَمْتُ هٰذِهِ؟**» قَالَ ٱبْنُ عَبَّاسٍ: لاَ تِلْكَ ٱمْرَأَةٌ كَانَتْ تُظْهِرُ فِي الإِسْلاَمِ الشَّرَّ.

3468 ـ أَخْبَرَنَا يَحْيَى بْنُ مُحَمَّدِ بْنِ السَّكَنِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَهْضَمٍ عَنْ إِسْمَاعِيلَ بْنِ جَعْفَرٍ عَنْ يَحْيَى قَالَ: سَمِعْتُ عَبْدَ الرَّحْمٰنِ بْنَ الْقَاسِمِ يُحَدِّثُ عَنْ أَبِيهِ عَنْ عَبْدِ ٱللَّهِ بْنِ عَبَّاسٍ أَنَّهُ قَالَ: ذُكِرَ التَّلاَعُنُ عِنْدَ رَسُولِ ٱللَّهِ ﷺ فَقَالَ عَاصِمُ بْنُ عَدِيٍّ فِي ذٰلِكَ قَوْلاً ثُمَّ ٱنْصَرَفَ فَلَقِيَهُ رَجُلٌ مِنْ قَوْمِهِ فَذَكَرَ أَنَّهُ وَجَدَ مَعَ ٱمْرَأَتِهِ رَجُلاً فَذَهَبَ بِهِ إِلَى رَسُولِ ٱللَّهِ ﷺ فَأَخْبَرَهُ بِالَّذِي وَجَدَ عَلَيْهِ ٱمْرَأَتَهُ وَكَانَ ذٰلِكَ الرَّجُلُ مُصْفَرًّا قَلِيلَ اللَّحْمِ سَبِطَ الشَّعْرِ وَكَانَ الَّذِي ٱدَّعَى عَلَيْهِ أَنَّهُ وَجَدَ عِنْدَ أَهْلِهِ آدَمَ خَدْلاً كَثِيرَ اللَّحْمِ جَعْداً قَطَطاً فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**اللَّهُمَّ بَيِّنْ**» فَوَضَعَتْ شَبِيهاً بِالَّذِي ذَكَرَ زَوْجُهَا أَنَّهُ وَجَدَهُ عِنْدَهَا فَلاَعَنَ رَسُولُ ٱللَّهِ ﷺ بَيْنَهُمَا فَقَالَ رَجُلٌ لاِبْنِ عَبَّاسٍ فِي الْمَجْلِسِ: أَهِيَ الَّتِي قَالَ رَسُولُ ٱللَّهِ ﷺ: «**لَوْ رَجَمْتُ أَحَداً بِغَيْرِ بَيِّنَةٍ رَجَمْتُ هٰذِهِ؟**» قَالَ ٱبْنُ عَبَّاسٍ: لاَ تِلْكَ ٱمْرَأَةٌ كَانَتْ تُظْهِرُ الشَّرَّ فِي الإِسْلاَمِ.

(40) ـ بابُ الأَمْرِ بِوَضْعِ اليَدِ على فِي المُتَلاعِنَيْنِ عند الخَامِسَةِ

3469 ـ أَخْبَرَنَا عَلِيُّ بْنُ مَيْمُونٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَاصِمِ بْنِ كُلَيْبٍ عَنْ أَبِيهِ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ النَّبِيَّ ﷺ أَمَرَ رَجُلاً حِينَ أَمَرَ الْمُتَلاَعِنَيْنِ أَنْ يَتَلاَعَنَا أَنْ يَضَعَ يَدَهُ عِنْدَ الْخَامِسَةِ عَلَى فِيهِ وَقَالَ: «**إِنَّهَا مُوجِبَةٌ**».

[41] The Imam Gives Admonition To Both Members Of The Couple While Carrying Out The Measures Of Li'an

3470- It is narrated on the authority of Sa'id Ibn Jubair that he said: I was asked about such of the couple as involved in Li'an during the caliphate of Ibn Az-Zubair: should they be parted? I did not know what to say. I left my sitting place and went direct to the house if Ibn Umar and said: "O Abu Abd Ar-Rahman! Should such of the couple as involved in Li'an be parted?" he said: "Yes, Glorified be Allah! The first to ask about that was so and so, the son of so and so, who said: "O Messenger of Allah! Tell me: if anyone of us sees his wife committing adultery: (what should he do?) if he speaks, it will be a grievous matter; and if he keeps silent, he will keep silent from a matter similar in seriousness." He (the Prophet) gave no reply to him. Some time later, he came to him and he told him: "I was put to trial pertaining to the same matter about which I asked you earlier." On that occasion Allah Almighty revealed: "And for those who launch a charge against their spouses, and have (in support) no evidence but their own, their solitary evidence (can be received) if they bear witness four times (with an oath) by Allah that they are solemnly telling the truth; And the fifth (oath) (should be) that they solemnly invoke the curse of Allah on themselves if they tell a lie. But it would avert the punishment from the wife, if she bears witness four times (with an oath) by Allah, that (her husband) is telling a lie; And the fifth (oath) should be that she solemnly invokes the wrath of Allah on herself if (her accuser) is telling the truth." (An-Nur 6:9) he began with the man, whom he admonished and reminded (Allah's Punishment), and told that the punishment of this world is much easier than that of the hereafter, thereupon he said: "By Him, Who has sent you with the truth! I've not told a lie." Then, he moved on towards the woman, whom he admonished and reminded (of Allah's Punishment), thereupon she said: "By Him Who has sent you with the truth, he has told a lie." He began with the man, who bore witness by Allah four times that he had told the truth, and the fifth was that Allah's Curse be upon him if he had told a lie. He moved on towards the woman who bore witness by Allah four times that he (her husband) had told a lie, and the fifth was that Allah's Wrath be upon her if he had told the truth." Then (they were parted, and thus), I (Sa'id Ibn Jubair) parted them (in imitation of the right way of the Messenger of Allah).

[42] Parting Such Of The Couple As Involved In Li'an

3471- It is narrated on the authority of Sa'id Ibn Jubair that he said: Al-Mus'ab did not part such of the couple as involved in Li'an, and when I made a mention of that to Ibn Umar he said: "Allah's Apostle "Allah's blessing

(41) ـ بابُ عِظَةِ الإمَامِ الرَّجُلَ والمَرْأَةَ عند اللِّعَانِ

3470 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ وَمُحَمَّدُ بْنُ الْمُثَنَّى قَالاَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا عَبْدُ الْمَلِكِ بْنُ أَبِي سُلَيْمَانَ قَالَ: سَمِعْتُ سَعِيدَ بْنَ جُبَيْرٍ يَقُولُ: سُئِلْتُ عَنِ الْمُتَلاَعِنَيْنِ فِي إِمَارَةِ ٱبْنِ الزُّبَيْرِ أَيُفَرَّقُ بَيْنَهُمَا؟ فَمَا دَرَيْتُ مَا أَقُولُ فَقُمْتُ مِنْ مَقَامِي إِلَى مَنْزِلِ ٱبْنِ عُمَرَ فَقُلْتُ: يَا أَبَا عَبْدِ الرَّحْمٰنِ الْمُتَلاَعِنَيْنِ أَيُفَرَّقُ بَيْنَهُمَا؟ قَالَ: نَعَمْ سُبْحَانَ ٱللَّهِ إِنَّ أَوَّلَ مَنْ سَأَلَ عَنْ ذٰلِكَ فُلاَنُ بْنُ فُلاَنٍ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَرَأَيْتَ وَلَمْ يَقُلْ عَمْرٌو أَرَأَيْتَ الرَّجُلَ مِنَّا يَرَى عَلَى ٱمْرَأَتِهِ فَاحِشَةً إِنْ تَكَلَّمَ فَأَمْرٌ عَظِيمٌ وَقَالَ عَمْرٌو أَتَى أَمْراً عَظِيماً وَإِنْ سَكَتَ سَكَتَ عَلَى مِثْلِ ذٰلِكَ فَلَمْ يُجِبْهُ فَلَمَّا كَانَ بَعْدَ ذٰلِكَ أَتَاهُ فَقَالَ: إِنَّ الأَمْرَ الَّذِي سَأَلْتُكَ ٱبْتُلِيتُ بِهِ فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ هٰؤُلاَءِ الآيَاتِ فِي سُورَةِ النُّورِ ﴿وَٱلَّذِينَ يَرْمُونَ أَزْوَٰجَهُمْ﴾ حَتَّى بَلَغَ: ﴿وَٱلْخَٰمِسَةَ أَنَّ غَضَبَ ٱللَّهِ عَلَيْهَآ إِن كَانَ مِنَ ٱلصَّٰدِقِينَ﴾ [النور، الآيات: 6 ـ 9] فَبَدَأَ بِالرَّجُلِ فَوَعَظَهُ وَذَكَّرَهُ وَأَخْبَرَهُ أَنَّ عَذَابَ الدُّنْيَا أَهْوَنُ مِنْ عَذَابِ الآخِرَةِ فَقَالَ: وَالَّذِي بَعَثَكَ بِالْحَقِّ مَا كَذَبْتُ ثُمَّ ثَنَّى بِالْمَرْأَةِ فَوَعَظَهَا وَذَكَّرَهَا فَقَالَتْ: وَالَّذِي بَعَثَكَ بِالْحَقِّ إِنَّهُ لَكَاذِبٌ فَبَدَأَ بِالرَّجُلِ فَشَهِدَ أَرْبَعَ شَهَادَاتٍ بِاللَّهِ إِنَّهُ لَمِنَ الصَّادِقِينَ وَالْخَامِسَةُ أَنَّ لَعْنَةَ ٱللَّهِ عَلَيْهِ إِنْ كَانَ مِنَ الْكَاذِبِينَ ثُمَّ ثَنَّى بِالْمَرْأَةِ فَشَهِدَتْ أَرْبَعَ شَهَادَاتٍ بِٱللَّهِ إِنَّهُ لَمِنَ الْكَاذِبِينَ وَالْخَامِسَةَ أَنَّ غَضَبَ ٱللَّهِ عَلَيْهَا إِنْ كَانَ مِنَ الصَّادِقِينَ فَفَرَّقَ بَيْنَهُمَا.

(42) ـ بابُ التَّفْرِيقِ بين المُتَلاعِنَيْنِ

3471 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ وَمُحَمَّدُ بْنُ الْمُثَنَّى وَاللَّفْظُ لَهُ قَالاَ: حَدَّثَنَا مُعَاذُ بْنُ هِشَامٍ حَدَّثَنِي أَبِي عَنْ قَتَادَةَ عَنْ عَزْرَةَ عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: لَمْ يُفَرِّقِ الْمُصْعَبُ بَيْنَ الْمُتَلاَعِنَيْنِ قَالَ سَعِيدٌ: فَذَكَرْتُ ذٰلِكَ لابْنِ عُمَرَ فَقَالَ: فَرَّقَ

and peace be upon him" parted the couple of Banu Al-Ajlan (after they had been involved in Li'an)."

[43] Asking Such Of The Couple As Involved In Li'an To Turn In Repentance After Carrying Out The Measures Of Li'an

3472- It is narrated on the authority of Sa'id Ibn Jubair that he said: I said to Ibn Umar: "What about a man who launched a charge against his wife (of committing fornication)?" he said: "The Messenger of Allah "Allah's blessing and peace be upon him" separated (by divorce) the couple of Banu Ajlan, and said: "Allah knows that one of you two is a liar; so will one of you repent?" he said it thrice, but none of them accepted (to change his mind)." So, he parted them. Amr Ibn Dinar said: There is something in that narration, which I see you do not relate. He said: Yes: The man said: "(What about) my property?" he (the Prophet) said: "There is no property for you due upon her: if you've told the truth, then, (it would be for the legal right therewith) you consummate marriage (and had sexual relation) with her; and if you've told a lie, this (property) should be farther and more inaccessible to you."

[44] Such Of The Couple As Involved In Li'an Gather Together

3473- It is narrated on the authority of Said Ibn Jubair that he said: I asked Ibn Umar about such of the couple as involved in Li'an, thereupon he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to the invokers of Allah's curse upon the liar of them: "Your reckoning is with Allah. One of you two is a liar, and you (the husband) have no right over her (in case of being divorced)." The man said: "O Messenger of Allah! What about my property (Dower)?" The Prophet "Allah's blessing and peace be upon him" said: "You have no right to get back your property. If you told the truth about her then your property would be for the legal right therewith you had sexual intercourse with her; and if you told a lie about her, then it would be more inaccessible to you."

[45] Denying The Ascription Of The Would-Be Child To His Father Whose Mother Is Involved In Li'an

3474- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" carried out the measures of Li'an between a man and his wife, and parted them, and joined the would-be child to his mother.

رَسُولُ ٱللَّهِ ﷺ بَيْنَ أَخَوَيْ بَنِي الْعَجْلاَنِ.

(43) ـ اسْتِتَابَةُ الْمُتَلاعِنَيْنِ بعد اللِّعَانِ

3472 ـ أَخْبَرَنَا زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا ٱبْنُ عُلَيَّةَ عَنْ أَيُّوبَ عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: قُلْتُ لابْنِ عُمَرَ رَجُلٌ قَذَفَ ٱمْرَأَتَهُ قَالَ: فَرَّقَ رَسُولُ ٱللَّهِ ﷺ بَيْنَ أَخَوَيْ بَنِي الْعَجْلاَنِ وَقَالَ: «**ٱللَّهُ يَعْلَمُ أَنَّ أَحَدَكُمَا كَاذِبٌ فَهَلْ مِنْكُمَا تَائِبٌ**» قَالَ لَهُمَا ثَلاَثاً فَأَبَيَا فَفَرَّقَ بَيْنَهُمَا. قَالَ أَيُّوبُ وقَالَ عَمْرُو بْنُ دِينَارٍ: إِنَّ فِي هٰذَا الْحَدِيثِ شَيْئاً لاَ أَرَاكَ تُحَدِّثُ بِهِ قَالَ: قَالَ الرَّجُلُ: مَالِي قَالَ: «**لاَ مَالَ لَكَ إِنْ كُنْتَ صَادِقاً فَقَدْ دَخَلْتَ بِهَا وَإِنْ كُنْتَ كَاذِباً فَهِيَ أَبْعَدُ مِنْكَ**».

(44) ـ اجْتِمَاعُ الْمُتَلاعِنَيْنِ

3473 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو قَالَ: سَمِعْتُ سَعِيدَ بْنَ جُبَيْرٍ يَقُولُ: سَأَلْتُ ٱبْنَ عُمَرَ عَنِ الْمُتَلاَعِنَيْنِ فَقَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ لِلْمُتَلاَعِنَيْنِ: «**حِسَابُكُمَا عَلَى ٱللَّهِ أَحَدُكُمَا كَاذِبٌ وَلاَ سَبِيلَ لَكَ عَلَيْهَا**» قَالَ: يَا رَسُولَ ٱللَّهِ مالي. قَالَ: «**لاَ مَالَ لَكَ إِنْ كُنْتَ صَدَقْتَ عَلَيْهَا فَهُوَ بِمَا ٱسْتَحْلَلْتَ مِنْ فَرْجِهَا وَإِنْ كُنْتَ كَذَبْتَ عَلَيْهَا فَذَاكَ أَبْعَدُ لَكَ**».

(45) ـ بابُ نَفْيِ الوَلَدِ باللِّعَانِ وإلْحَاقِهِ بأُمِّهِ

3474 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا مَالِكٌ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالَ: «لاَعَنَ رَسُولُ ٱللَّهِ ﷺ بَيْنَ رَجُلٍ وَٱمْرَأَتِهِ وَفَرَّقَ بَيْنَهُمَا وَأَلْحَقَ الْوَلَدَ بِالأُمِّ».

[46] When One Refers offensively To His Wife, Arouses Doubt In (The Ascription Of) The Child, In An Attempt To Deny Him

3475- It is narrated on the authority of Abu Hurairah that he said: Once, a man from (the tribe of) Banu Fazarah came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "My wife has delivered a black child." The Prophet "Allah's blessing and peace be upon him" said: "Do you have (a herd of) camels?" he said: "Yes." He (The Prophet) asked: "What is their colour?" he said: "They are red." He said: "Is there any dusky one among them?" He said: "Yes, there are many dusky ones among them." He said: "How has that come?" He said: "Perhaps, it is due to a certain (characteristics of) heredity to which it was attracted." He (The Prophet) said: "Perhaps, this (black complexion of your child) is due to a certain (characteristics of) heredity to which he was attracted."

3476- It is narrated on the authority of Abu Hurairah that he said: Once, a man from (the tribe of) Banu Fazarah came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "My wife has delivered a black child." He seemed to have tried to deny his ascription to him. The Prophet "Allah's blessing and peace be upon him" said: "Do you have (a herd of) camels?" he said: "Yes." He (The Prophet) asked: "What is their colour?" he said: "They are red." He said: "Is there any dusky one among them?" He said: "Yes, there are many dusky ones among them." He said: "How has that come?" He said: "Perhaps, it is due to a certain (characteristics of) heredity to which it was attracted." He (The Prophet) said: "Perhaps, this (black complexion of your child) is due to a certain (characteristics of) heredity to which he was attracted." In this way, the Messenger of Allah "Allah's blessing and peace be upon him" gave him no concession to deny the child's ascription to him.

3477- It is narrated on the authority of Abu Hurairah that he said: While we were sitting with The Messenger of Allah "Allah's blessing and peace be upon him" a man stood up and said: "O Messenger of Allah! A black child has been born on my bed (i.e. my wife has delivered a black child for me)." He asked him: "What is the reason for that (in your sight)?" he said: "I do not know." The Prophet "Allah's blessing and peace be upon him" said: "Do you have (a herd of) camels?" he said: "Yes." He (The Prophet) asked: "What is their colour?" he said: "They are red." He said: "Is there any dusky one among them?" He said: "Yes, there are many dusky ones among them." He said: "What is the reason for that (in your sight)?" He said: "O Messenger of Allah! I do not know. Perhaps, it is due to a certain (characteristics of) heredity to which it was attracted." He (The Prophet) said: "Perhaps, this

(46) ـ بابٌ إذا عَرَّضَ بامْرَأَتِهِ وشَكَّتْ في وَلَدِهِ وأَرَادَ الانْتِفَاءَ منه

3475 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ: أَنَّ رَجُلاً مِنْ بَنِي فَزَارَةَ أَتَى رَسُولَ ٱللَّهِ ﷺ فَقَالَ: إِنَّ ٱمْرَأَتِي وَلَدَتْ غُلاَماً أَسْوَدَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**هَلْ لَكَ مِنْ إِبِلٍ؟**» قَالَ: نَعَمْ قَالَ: «**فَمَا أَلْوَانُهَا؟**» قَالَ: حُمْرٌ قَالَ: «**فَهَلْ فِيهَا مِنْ أَوْرَقَ؟**» قَالَ: إِنَّ فِيهَا لَوُرْقاً قَالَ: «**فَأَنَّى تَرَى أَتَى ذٰلِكَ؟**» قَالَ: عَسَى أَنْ يَكُونَ نَزَعَهُ عِرْقٌ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**وَهٰذَا عَسَى أَنْ يَكُونَ نَزَعَهُ عِرْقٌ**».

3476 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ قَالَ: جَاءَ رَجُلٌ مِنْ بَنِي فَزَارَةَ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنَّ ٱمْرَأَتِي وَلَدَتْ غُلاَماً أَسْوَدَ وَهُوَ يُرِيدُ الانْتِفَاءَ مِنْهُ فَقَالَ: «**هَلْ لَكَ مِنْ إِبِلٍ؟**» قَالَ: نَعَمْ قَالَ: «**مَا أَلْوَانُهَا؟**» قَالَ: حُمْرٌ قَالَ: «**هَلْ فِيهَا مِنْ أَوْرَقَ؟**» قَالَ: فِيهَا ذَوْدُ وُرْقٍ قَالَ: «**فَمَا ذَاكَ تُرَى؟**» قَالَ: لَعَلَّهُ أَنْ يَكُونَ نَزَعَهَا عِرْقٌ قَالَ: «**فَلَعَلَّ هٰذَا أَنْ يَكُونَ نَزَعَهُ عِرْقٌ**» قَالَ: فَلَمْ يُرَخِّصْ لَهُ فِي الانْتِفَاءِ مِنْهُ.

3477 ـ أَخْبَرَنَا أَحْمَدُ بْنُ مُحَمَّدِ بْنِ الْمُغِيرَةِ قَالَ: حَدَّثَنَا أَبُو حَيْوَةَ حِمْصِيٌّ قَالَ: حَدَّثَنَا شُعَيْبُ بْنُ أَبِي حَمْزَةَ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ قَالَ: بَيْنَمَا نَحْنُ عِنْدَ رَسُولِ ٱللَّهِ ﷺ قَامَ رَجُلٌ فَقَالَ: يَا رَسُولَ ٱللَّهِ إِنِي وُلِدَ لِي غُلاَمٌ أَسْوَدُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**فَأَنَّى كَانَ ذٰلِكَ؟**» قَالَ: مَا أَدْرِي قَالَ: «**فَهَلْ لَكَ مِنْ إِبِلٍ؟**» قَالَ: نَعَمْ قَالَ: «**فَمَا أَلْوَانُهَا؟**» قَالَ: حُمْرٌ قَالَ: «**فَهَلْ فِيهَا جَمَلٌ أَوْرَقُ؟**» قَالَ: فِيهَا إِبِلٌ وُرْقٌ قَالَ: «**فَأَنَّى كَانَ ذٰلِكَ؟**» قَالَ: مَا أَدْرِي يَا رَسُولَ ٱللَّهِ إِلاَّ أَنْ يَكُونَ نَزَعَهُ عِرْقٌ قَالَ: «**وَهٰذَا لَعَلَّهُ نَزَعَهُ عِرْقٌ**».

(black complexion of your child) is due to a certain (characteristics of) heredity to which he was attracted." For this reason, the Messenger of Allah "Allah's blessing and peace be upon him" passed the judgement that it is impermissible for a man to deny the ascription of a child that is born on his bed to him unless he pretends he has seen his wife committing adultery.

[47] The Severe Warning Of Denying One's Child's Ascription

3478- It is narrated on the authority of Abu Hurairah that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said just after the Holy Verse of Li'an had been revealed: "Any woman who ascribes to a people such (a child) as does not belong to them Allah will never turn to her (in mercy), nor will Allah admit her to His Garden; and any man who denies (the ascription of) his child while looking at him, Allah will be screened from him (on the Day of Judgement), and further will put him to shame at the sight of the foremost and last generations."

[48] Joining The Child To The (Owner Of The) Bed If The Owner Of The Bed Does Not Deny His Ascription

3479- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "The child should be for the (owner of the) bed (on which he is born), and the prostitute should get nothing but stones (deprivation an stoning to death)."

3480- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The child should be for the (owner of the) bed (on which he is born), and the prostitute should get nothing but stones (deprivation and stoning to death)."

3481- It is narrated on the authority of A'ishah that she said: Sa'd Ibn Abu Waqqas and Abd Ibn Zam'ah quarreled over a boy belonging to the slave-girl of Zam'ah. Sa'd said: "O Messenger of Allah! This is the son of my brother Utbah Ibn Abu Waqqas who entrusted to me (to look for and take care of him since) he is his son: look at his resemblance (to Utbah)!" Abd Ibn Zam'ah said: "O Allah's Apostle! This is my brother and was born on my father's bed from his slave-girl." The Messenger of Allah "Allah's blessing and peace be upon him" cast a glance of the boy and found definite resemblance to Utbah and then said: "The boy is for you, O Abd Ibn Zam'ah. The child goes to the (owner of the) bed (on which he is born) and the adulterer gets nothing but the stones (deprivation and stoning to death). O Sawdah Bint Zam'ah! Screen yourself from this boy." He never saw Sawdah (until he died).

فَمِنْ أَجْلِهِ قَضَى رَسُولُ ٱللَّهِ ﷺ هٰذَا لاَ يَجُوزُ لِرَجُلٍ أَنْ يَنْتَفِيَ مِنْ وَلَدٍ وُلِدَ عَلَى فِرَاشِهِ إِلاَّ أَنْ يَزْعُمَ أَنَّهُ رَأَى فَاحِشَةً.

(47) ـ بابُ التَّغْلِيظِ في الانْتِفَاءِ مِنَ الوَلَدِ

3478 ـ أَخْبَرَنَا مُحَمَّدُ بنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ قَالَ شُعَيْبٌ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنِ ٱبْنِ الْهَادِ عَنْ عَبْدِ ٱللَّهِ بْنِ يُونُسَ عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ الْمَقْبُرِيِّ عَنْ أَبِي هُرَيْرَةَ: أَنَّهُ سَمِعَ رَسُولَ ٱللَّهِ ﷺ يَقُولُ حِينَ نَزَلَتْ آيَةُ الْمُلاَعَنَةِ: **«أَيُّمَا ٱمْرَأَةٍ أَدْخَلَتْ عَلَى قَوْمٍ رَجُلاً لَيْسَ مِنْهُمْ فَلَيْسَتْ مِنَ ٱللَّهِ فِي شَيْءٍ وَلاَ يُدْخِلُهَا ٱللَّهُ جَنَّتَهُ وَأَيُّمَا رَجُلٍ جَحَدَ وَلَدَهُ وَهُوَ يَنْظُرُ إِلَيْهِ ٱحْتَجَبَ ٱللَّهُ عَزَّ وَجَلَّ مِنْهُ وَفَضَحَهُ عَلَى رُؤُوسِ الأَوَّلِينَ وَالآخِرِينَ يَوْمَ الْقِيَامَةِ»**.

(48) ـ بابُ إِلْحَاقِ الوَلَدِ بالفِرَاشِ إذا لم يَنْفِهِ صَاحِبُ الفِرَاشِ

3479 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ سَعِيدٍ وَأَبِي سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ أَنَّ النَّبِيَّ ﷺ قَالَ: **«الْوَلَدُ لِلْفِرَاشِ وَلِلْعَاهِرِ الْحَجَرُ»**.

3480 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ عَنْ عَبْدِ الرَّزَّاقِ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ عَنْ سَعِيدٍ وَأَبِي سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ أَنَّ النَّبِيَّ ﷺ قَالَ: **«الْوَلَدُ لِلْفِرَاشِ وَلِلْعَاهِرِ الْحَجَرُ»**.

3481 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنِ ٱبْنِ شِهَابٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: ٱخْتَصَمَ سَعْدُ بْنُ أَبِي وَقَّاصٍ وَعَبْدُ بْنُ زَمْعَةَ فِي غُلاَمٍ فَقَالَ سَعْدٌ: هٰذَا يَا رَسُولَ ٱللَّهِ ٱبْنُ أَخِي عُتْبَةَ بْنِ أَبِي وَقَّاصٍ عَهِدَ إِلَيَّ أَنَّهُ ٱبْنُهُ ٱنْظُرْ إِلَى شَبَهِهِ وَقَالَ عَبْدُ بنُ زَمْعَةَ: أَخِي وُلِدَ عَلَى فِرَاشِ أَبِي مِنْ وَلِيدَتِهِ فَنَظَرَ رَسُولُ ٱللَّهِ ﷺ إِلَى شَبَهِهِ فَرَأَى شَبَهاً بَيِّناً بِعُتْبَةَ فَقَالَ: **«هُوَ لَكَ يَا عَبْدُ الْوَلَدُ لِلْفِرَاشِ وَلِلْعَاهِرِ الْحَجَرُ وَٱحْتَجِبِي مِنْهُ يَا سَوْدَةُ بِنْتَ زَمْعَةَ»** فَلَمْ يَرَ سَوْدَةَ قَطُّ.

3482- It is narrated on the authority of Abdullah Ibn Az-Zubair that he said: Zam'ah had a slave-girl, with whom he had sexual relations, but he had suspicion that another one had sexual relations with her, and she delivered a child having resemblance with the man about whom he had doubt he had sexual relations with her. Zam'ah died while she was pregnant. Sawdah made a mention of that to The Messenger of Allah "Allah's blessing and peace be upon him", thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "The child should go to the (owner of the) bed (on which he is born); and O Sawdah! Screen yourself from him."

3483- It is narrated on the authority of Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The child should be for the (owner of the) bed (on which he is born), and the prostitute should get nothing but stones (deprivation and stoning t death)."

[49] The Bed Of The Slave-Girl

3484- It is narrated on the authority of A'ishah that she said: Sa'd Ibn Abu Waqqas and Abd Ibn Zam'ah quarreled over a boy belonging to the slave-girl of Zam'ah. Sa'd said: "My brother Utbah (Ibn Abu Waqqas) entrusted to me to look for the child of the slave-girl of Zam'ah, once I would come to Mecca and take him as he is his (illegal) son." Abd Ibn Zam'ah said: "O Allah's Apostle! This is my brother and was born on my father's bed from his slave-girl." The Messenger of Allah "Allah's blessing and peace be upon him" cast a look at the boy and found definite resemblance to Utbah and then said: "The boy is for you, O Abd Ibn Zam'ah. The child goes to the (owner of the) bed (on which he is born) and the adulterer gets nothing but the stones (despair, i.e. to be stoned to death). O Sawdah Bint Zam'ah! Screen yourself from this boy."

[50] Casting Lots Over A Child When There Is Dispute Over Him

3485- It is narrated on the authority of Zaid Ibn Arqam that while Ali Ibn Abu Talib was in Yemen, three men were brought to him, and they had sexual relation with the same woman during (the period of) her cleanness (before she got the coming menses). He asked two of them: "Do you affirm the child to this man?" they answered in the negative. He asked other two: "Do you affirm the child to this man?" they answered in the negative, thereupon he drew lots among them, and joined the child to such as on whom the lot fell, and made two-thirds the price (of the slave-girl) due upon him (since she moved to him on account of that judgement). When a mention of that was made to the Messenger of Allah "Allah's blessing and peace be upon him", he laughed until his premolar teeth became visible.

3482 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا جَرِيرٌ عَنْ مَنْصُورٍ عَنْ مُجَاهِدٍ عَنْ يُوسُفَ بْنِ الزُّبَيْرِ مَوْلًى لَهُمْ عَنْ عَبْدِ ٱللَّهِ بْنِ الزُّبَيْرِ قَالَ: كَانَتْ لِزَمْعَةَ جَارِيَةٌ يَطَؤُهَا هُوَ وَكَانَ يَظُنُّ بِآخَرَ يَقَعُ عَلَيْهَا فَجَاءَتْ بِوَلَدٍ شِبْهِ الَّذِي كَانَ يَظُنُّ بِهِ فَمَاتَ زَمْعَةُ وَهِيَ حُبْلَى فَذَكَرَتْ ذٰلِكَ لِرَسُولِ ٱللَّهِ ﷺ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْوَلَدُ لِلْفِرَاشِ وَٱحْتَجِبِي مِنْهُ يَا سَوْدَةُ فَلَيْسَ لَكِ بِأَخٍ»**.

3483 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مُغِيرَةَ عَنْ أَبِي وَائِلٍ عَنْ عَبْدِ ٱللَّهِ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«الْوَلَدُ لِلْفِرَاشِ وَلِلْعَاهِرِ الْحَجَرُ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: وَلاَ أَحْسَبُ هٰذَا عَنْ عَبْدِ ٱللَّهِ بْنِ مَسْعُودٍ وَٱللَّهُ تَعَالَى أَعْلَمُ.

(49) ـ بابُ فِرَاشِ الأَمَةِ

3484 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: ٱخْتَصَمَ سَعْدُ بْنُ أَبِي وَقَّاصٍ وَعَبْدُ بْنُ زَمْعَةَ فِي ٱبْنِ زَمْعَةَ قَالَ سَعْدٌ: أَوْصَانِي أَخِي عُتْبَةُ إِذَا قَدِمْتَ مَكَّةَ فَانْظُرِ ٱبْنَ وَلِيدَةِ زَمْعَةَ فَهُوَ ٱبْنِي فَقَالَ عَبْدُ بْنُ زَمْعَةَ: هُوَ ٱبْنُ أَمَةِ أَبِي وُلِدَ عَلَى فِرَاشِ أَبِي فَرَأَى رَسُولُ ٱللَّهِ ﷺ شَبَهاً بَيِّناً بِعُتْبَةَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْوَلَدُ لِلْفِرَاشِ وَٱحْتَجِبِي مِنْهُ يَا سَوْدَةُ»**.

(50) ـ بابُ القُرْعَةِ في الوَلَدِ إذا تَنَازَعُوا فِيهِ وذِكْرِ الاخْتِلافِ على الشَّعْبِيِّ فيه في حَدِيثِ زَيْدِ بْنِ أَرْقَمَ

3485 ـ أَخْبَرَنَا أَبُو عَاصِمٍ خُشَيْشُ بْنُ أَصْرَمَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا الثَّوْرِيُّ عَنْ صَالِحٍ الْهَمْدَانِيِّ عَنِ الشَّعْبِيِّ عَنْ عَبْدِ خَيْرٍ عَنْ زَيْدِ بْنِ أَرْقَمَ قَالَ: أُتِيَ عَلِيٌّ رَضِيَ ٱللَّهُ عَنْهُ بِثَلاَثَةٍ وَهُوَ بِالْيَمَنِ وَقَعُوا عَلَى امْرَأَةٍ فِي طُهْرٍ وَاحِدٍ فَسَأَلَ ٱثْنَيْنِ أَتُقِرَّانِ لِهٰذَا بِالْوَلَدِ؟ قَالاَ: لاَ ثُمَّ سَأَلَ ٱثْنَيْنِ أَتُقِرَّانِ لِهٰذَا بِالْوَلَدِ؟ قَالاَ: لاَ فَأَقْرَعَ بَيْنَهُمْ فَأَلْحَقَ الْوَلَدَ بِالَّذِي صَارَتْ عَلَيْهِ الْقُرْعَةُ وَجَعَلَ عَلَيْهِ ثُلُثَيِ الدِّيَةِ فَذُكِرَ ذٰلِكَ لِلنَّبِيِّ ﷺ فَضَحِكَ حَتَّى بَدَتْ نَوَاجِذُهُ.

3486- It is narrated on the authority of Zaid Ibn Arqam that he said: I was sitting with the Messenger of Allah "Allah's blessing and peace be upon him" when a man came to him from Yemen and went on talking to him about the affairs of Yemen, and at that time Ali was its governor. He said: Three men from amongst the inhabitants of Yemen came to Ali Ibn Abu Talib, with a dispute over a child, and they had sexual relation with the same woman during (the period of) her cleanness (before she got the coming menses). He asked two of them: "Do you affirm the child to this man?" they answered in the negative...and the rest is the same as the previous one.

3487- It is narrated on the authority of Zaid Ibn Arqam that he said: I was sitting with the Messenger of Allah "Allah's blessing and peace be upon him" when a man came to him from Yemen and said: Three men from amongst the inhabitants of Yemen came to Ali Ibn Abu Talib, with a dispute over a child, and they had sexual relation with the same woman during (the period of) her cleanness (before she got the coming menses). He asked one of them: "Do you affirm the child to this man?" he answered in the negative. He asked another one : "Do you affirm the child to this man?" he answered in the negative. He asked the third one : "Do you affirm the child to this man?" he answered in the negative. He then said: "No doubt, you are obstinate foes! I'm going to draw lots among you, and join the child to such as on whom the lot would fall, and make two-thirds the price (of the slave-girl) due upon him (since she would be transferred to him on account of that judgement)." On that the Messenger of Allah "Allah's blessing and peace be upon him" laughed until his premolar teeth became visible.

3488- It is narrated on the authority of Zaid Ibn Arqam that he said: the Messenger of Allah "Allah's blessing and peace be upon him" sent Ali Ibn Abu Talib to Yemen (to be in charge of its affairs), and a child was brought to him, over whom three men fell in dispute...and the rest is the same.

3489- It is narrated on the authority of Abu Al-Khalil that three men in Yemen fell in dispute over a child...and the rest is the same, and no mention is made here of Zaid Ibn Arqam.

[51] The Knower Of Ancestry Through Tracing Physical Characteristics Of Heredity

3490- It is narrated on the authority of A'ishah that she said: One day, The Messenger of Allah "Allah's blessing and peace be upon him" entered upon me as pleased with the traces of happiness visible on his face and said: "O A'ishah! Did you not know that Mujazzaz cast glance of both Zaid Ibn

3486 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ عَنِ الأَجْلَحِ عَنِ الشَّعْبِيِّ قَالَ: أَخْبَرَنِي عَبْدُ ٱللَّهِ بْنُ أَبِي الْخَلِيلِ الْحَضْرَمِيُّ عَنْ زَيْدِ بْنِ أَرْقَمَ قَالَ: بَيْنَا نَحْنُ عِنْدَ رَسُولِ ٱللَّهِ ﷺ إِذْ جَاءَهُ رَجُلٌ مِنَ الْيَمَنِ فَجَعَلَ يُخْبِرُهُ وَيُحَدِّثُهُ وَعَلِيٌّ بِهَا فَقَالَ: يَا رَسُولَ ٱللَّهِ ﷺ أَتَى عَلِيّاً ثَلَاثَةُ نَفَرٍ يَخْتَصِمُونَ فِي وَلَدٍ وَقَعُوا عَلَى ٱمْرَأَةٍ فِي طُهْرٍ وَسَاقَ الْحَدِيثَ.

3487 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى عَنِ الأَجْلَحِ عَنِ الشَّعْبِيِّ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي الْخَلِيلِ عَنْ زَيْدِ بْنِ أَرْقَمَ قَالَ: كُنْتُ عِنْدَ النَّبِيِّ ﷺ وَعَلِيٌّ رَضِيَ ٱللَّهُ عَنْهُ يَوْمَئِذٍ بِالْيَمَنِ فَأَتَاهُ رَجُلٌ فَقَالَ: شَهِدْتُ عَلِيّاً أُتِيَ فِي ثَلَاثَةِ نَفَرٍ ٱدَّعَوْا وَلَدَ ٱمْرَأَةٍ فَقَالَ عَلِيٌّ لأَحَدِهِمْ: تَدَعُهُ لِهٰذَا؟ فَأَبَى وَقَالَ لِهٰذَا: تَدَعُهُ لِهٰذَا؟ فَأَبَى وَقَالَ لِهٰذَا: تَدَعُهُ لِهٰذَا؟ فَأَبَى قَالَ عَلِيٌّ رَضِيَ ٱللَّهُ عَنْهُ: أَنْتُمْ شُرَكَاءُ مُتَشَاكِسُونَ وَسَأُقْرِعُ بَيْنَكُمْ فَأَيُّكُمْ أَصَابَتْهُ الْقُرْعَةُ فَهُوَ لَهُ وَعَلَيْهِ ثُلُثَا الدِّيَةِ فَضَحِكَ رَسُولُ ٱللَّهِ ﷺ حَتَّى بَدَتْ نَوَاجِذُهُ.

3488 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ شَاهِينٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنِ الشَّيْبَانِيِّ عَنِ الشَّعْبِيِّ عَنْ رَجُلٍ مِنْ حَضْرَمَوْتَ عَنْ زَيْدِ بْنِ أَرْقَمَ قَالَ: بَعَثَ رَسُولُ ٱللَّهِ ﷺ عَلِيّاً عَلَى الْيَمَنِ فَأُتِيَ بِغُلَامٍ تَنَازَعَ فِيهِ ثَلَاثَةٌ. وَسَاقَ الْحَدِيثَ.

3489 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ سَلَمَةَ بْنِ كُهَيْلٍ قَالَ: سَمِعْتُ الشَّعْبِيَّ يُحَدِّثُ عَنْ أَبِي الْخَلِيلِ أَوِ ٱبْنِ أَبِي الْخَلِيلِ: «أَنَّ ثَلَاثَةَ نَفَرٍ ٱشْتَرَكُوا فِي طُهْرٍ». فَذَكَرَ نَحْوَهُ. وَلَمْ يَذْكُرْ زَيْدَ بْنَ أَرْقَمَ وَلَمْ يَرْفَعْهُ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا صَوَابٌ وَٱللَّهُ سُبْحَانَهُ وَتَعَالَى أَعْلَمُ.

(51) بَابُ الْقَافَةِ

3490 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنِ ٱبْنِ شِهَابٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: إِنَّ رَسُولَ ٱللَّهِ ﷺ دَخَلَ عَلَيَّ مَسْرُوراً تَبْرُقُ أَسَارِيرُ وَجْهِهِ فَقَالَ: «أَلَمْ تَرَيْ أَنَّ

Harithah and Usamah and said: "Their feet are related to one another (as being for a father and his son)"?"

3491- It is narrated on the authority of A'ishah that she said: One day, The Messenger of Allah "Allah's blessing and peace be upon him" entered upon me as pleased and said: "O A'ishah! Did you not know that Mujazzaz Al-Mudliji visited me, and Usamah Ibn Zaid was in my house, and he saw both Zaid Ibn Harithah and Usamah who were lying, with a rug covering their heads, while their feet were naked, then he said: "Their feet are related to one another (as being for a father and his son)"?"

[52] When One Of The Couple Embraces Islam, And Their Child Is Given The Freedom To Choose (To Be With Whichever Of Them)

3492- It is narrated on the authority of Abd Al-Hamid Ibn Salamah Al-Ansari from his father from his grandfather that he embraced Islam, and his wife refused to do, and a child belonging to them, who had not attained the age of puberty, came, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" made the father sit at this side (of the gathering) and the mother at the other side and gave the child the freedom to choose (to go to whichever of them he liked) and said: "O Allah! Give him guidance!" he then went to his father.

3493- It is narrated on the authority of Abu Maimunah that he said: While I was sitting with Abu Hurairah, he said: A woman came to the Messenger of Allah "Allah's blessing and peace be upon him" while I was sitting with him, and said: "O Messenger of Allah! My husband (who has divorced me) intends to take my child, even though he watered me from the well of Abu Inabah, and proved to be (a source of) benefit for me." Her husband came and said: "Who could dare to dispute with me over my right to get my child?" the Prophet "Allah's blessing and peace be upon him" said to the child: "O boy! This is your father, and this is your mother: take hold of the hand of whomever you like (to go with)." He took hold of the hand of his mother, and she went with him.

[53] The Term Of Iddat Of Such As Is Divorced At Her Request

3494- It is narrated on the authority of Ar-Rubai Bint Mu'awwidh Ibn Afra' that she said: Thabit Ibn Qais Ibn Shamas beat his wife Jamilah Bint Abdullah Ibn Ubai so much severely that he broke her hand. Her brother came and made a complaint against him to the Messenger of Allah "Allah's blessing and peace be upon him" thereupon the Messenger of Allah "Allah's blessing and peace be upon him" sent to Thabit an said: "Take back what is due upon her to you, and leave her." He answered in the affirmative. the

مُجَزِّزاً نَظَرَ إِلَى زَيْدِ ابْنِ حَارِثَةَ وَأُسَامَةَ فَقَالَ: إِنَّ بَعْضَ هٰذِهِ الأَقْدَامِ لَمِنْ بَعْضٍ؟».

3491 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ رَضِيَ ٱللَّهُ عَنْهَا قَالَتْ: دَخَلَ عَلَيَّ رَسُولُ ٱللَّهِ ﷺ ذَاتَ يَوْمٍ مَسْرُوراً فَقَالَ: **«يَا عَائِشَةُ أَلَمْ تَرَيْ أَنَّ مُجَزِّزاً الْمُدْلِجِيَّ دَخَلَ عَلَيَّ وَعِنْدِي أُسَامَةُ بْنُ زَيْدٍ فَرَأَى أُسَامَةَ بْنَ زَيْدٍ وَزَيْداً وَعَلَيْهِمَا قَطِيفَةٌ وَقَدْ غَطَّيَا رُؤُوسَهُمَا وَبَدَتْ أَقْدَامُهُمَا فَقَالَ: هٰذِهِ أَقْدَامٌ بَعْضُهَا مِنْ بَعْضٍ؟».**

(52) ـ إِسْلامُ أَحَدِ الزَّوْجَيْنِ وتَخْيِيرُ الوَلَدِ

3492 ـ أَخْبَرَنَا مَحْمُودُ بنُ غَيْلاَنَ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عُثْمَانَ الْبَتِّيِّ عَنْ عَبْدِ الْحَمِيدِ بْنِ سَلَمَةَ الأَنْصَارِيِّ عَنْ أَبِيهِ عَنْ جَدِّهِ: أَنَّهُ أَسْلَمَ وَأَبَتِ ٱمْرَأَتُهُ أَنْ تُسْلِمَ فَجَاءَ ٱبْنٌ لَهُمَا صَغِيرٌ لَمْ يَبْلُغِ الْحُلُمَ فَأَجْلَسَ النَّبِيُّ ﷺ الأَبَ هٰهُنَا وَالأُمَّ هٰهُنَا ثُمَّ خَيَّرَهُ فَقَالَ: **«اللَّهُمَّ ٱهْدِهِ»** فَذَهَبَ إِلَى أَبِيهِ.

3493 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي زِيَادٌ عَنْ هِلاَلِ بْنِ أُسَامَةَ عَنْ أَبِي مَيْمُونَةَ قَالَ: بَيْنَا أَنَا عِنْدَ أَبِي هُرَيْرَةَ فَقَالَ: إِنَّ ٱمْرَأَةً جَاءَتْ رَسُولَ ٱللَّهِ ﷺ فَقَالَتْ: فِدَاكَ أَبِي وَأُمِّي إِنَّ زَوْجِي يُرِيدُ أَنْ يَذْهَبَ بِٱبْنِي وَقَدْ نَفَعَنِي وَسَقَانِي مِنْ بِئْرِ أَبِي عِنَبَةَ فَجَاءَ زَوْجُهَا وَقَالَ: مَنْ يُخَاصِمُنِي فِي ٱبْنِي فَقَالَ: **«يَا غُلاَمُ هٰذَا أَبُوكَ وَهٰذِهِ أُمُّكَ فَخُذْ بِيَدِ أَيِّهِمَا شِئْتَ»**. فَأَخَذَ بِيَدِ أُمِّهِ فَٱنْطَلَقَتْ بِهِ.

(53) ـ عِدَّةُ المُخْتَلِعَةِ

3494 ـ أَخْبَرَنَا أَبُو عَلِيٍّ مُحَمَّدُ بْنُ يَحْيَى الْمَرْوَزِيُّ قَالَ: أَخْبَرَنِي شَاذَانُ بْنُ عُثْمَانَ أَخُو عَبْدَانَ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا عَلِيُّ بْنُ الْمُبَارَكِ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ قَالَ: أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ أَنَّ الرُّبَيِّعَ بِنْتَ مُعَوِّذِ بْنِ عَفْرَاءَ أَخْبَرَتْهُ: أَنَّ ثَابِتَ بْنَ قَيْسِ بْنِ شَمَّاسٍ ضَرَبَ ٱمْرَأَتَهُ فَكَسَرَ يَدَهَا وَهِيَ جَمِيلَةُ بِنْتُ عَبْدِ ٱللَّهِ بْنِ أُبَيٍّ

Messenger of Allah "Allah's blessing and peace be upon him" ordered her to wait until she would get menses once, after which she should join her family.

3495- It is narrated on the authority of Ubadah Ibn Al-Walid Ibn Ubadah Ibn As-Samit that he said: I said to Ar-Rubai Bint Mu'awwidh: Relate to me your narration (concerning your divorce at your request). She said: I was divorced from my husband at my request, and I came to Uthman Ibn Affan and asked him: "Which period of Iddat is due upon me?" he said: "No period of Iddat is due upon you, unless your husband had sexual relation with you recently (before divorce), and in this case, you should wait until you get your menses. In this, I'm following the judgement of the Messenger of Allah "Allah's blessing and peace be upon him" pertaining to Maryam Al-Maghaliyyah, who was the wife of Thabit Ibn Qais Ibn Shamas, and then she was divorced from him at her request.

[54] What Was Abrogated Pertaining To The Period Of Iddat Prescribed For The Divorced Women

3496- It is narrated on the authority of Ibn Abbas, concerning Allah's saying: " None of our revelations do We abrogate or cause to be forgotten, but We substitute something better or similar: do you not know that Allah has power over all things?" (Al-Baqarah 106) and: " When We substitute one revelation for another, - and Allah knows best what He reveals (in stages)." (An-Nahl 101) and: " Allah does blot out or confirm what He pleases: with Him is the Mother of the Book." (Ar-Ra'd 39) he said: The Qiblah was the first to be abrogated as shown in the Qur'an (for at first it was towards the direction of Jerusalem, and then it was turned to the Sacred House of the Ka'bah). Allah Almighty says: " Divorced women shall wait concerning themselves for three monthly periods." (Al-Baqarah 228) He further said: " Such of your women as have passed the age of monthly courses, for them the prescribed period, if you have any doubts, is three months." (At-Talaq 4) Allah abrogated of that what He willed. He says: " And if you divorce them before consummation (There is no period of Iddat do you have upon them)." (Al-Baqarah 237)

[55] The Period Of Iddat Of Such As Whose Husband Dies

3497- It is narrated on the authority of Umm Habibah that she said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "It is not lawful for a woman who believes in Allah and the Last Day to mourn for a dead person for more than three days except her husband for whom she should mourn for four months and ten days."

«خُذِ الَّذِي لَهَا عَلَيْكَ وَخَلِّ سَبِيلَهَا» قَالَ: نَعَمْ فَأَمَرَهَا رَسُولُ ٱللَّهِ ﷺ أَنْ تَتَرَبَّصَ حَيْضَةً وَاحِدَةً فَتَلْحَقَ بِأَهْلِهَا.

3495 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعْدِ بْنِ إِبْرَاهِيمَ بْنِ سَعْدٍ قَالَ: حَدَّثَنَا عَمِّي قَالَ: حَدَّثَنَا أَبِي عَنِ ٱبْنِ إِسْحَاقَ قَالَ: حَدَّثَنِي عُبَادَةُ بْنُ الْوَلِيدِ بْنِ عُبَادَةَ بْنِ الصَّامِتِ عَنْ رُبَيِّعِ بِنْتِ مُعَوِّذٍ قَالَ: قُلْتُ لَهَا: حَدِّثِينِي حَدِيثَكِ قَالَتْ: ٱخْتَلَعْتُ مِنْ زَوْجِي ثُمَّ جِئْتُ عُثْمَانَ فَسَأَلْتُهُ مَاذَا عَلَيَّ مِنَ الْعِدَّةِ؟ فَقَالَ: لاَ عِدَّةَ عَلَيْكِ إِلاَّ أَنْ تَكُونِي حَدِيثَةَ عَهْدٍ بِهِ فَتَمْكُثِي حَتَّى تَحِيضِي حَيْضَةً قَالَ: وَأَنَا مُتَّبِعٌ فِي ذٰلِكَ قَضَاءَ رَسُولِ ٱللَّهِ ﷺ فِي مَرْيَمَ الْمغَالِيَّةِ كَانَتْ تَحْتَ ثَابِتِ بْنِ قَيْسِ بْنِ شَمَّاسٍ فَاخْتَلَعَتْ مِنْهُ.

(54) ـ ما اسْتُثْنِيَ مِنْ عِدَّةِ الْمُطَلَّقَاتِ

3496 ـ أَخْبَرَنَا زَكَرِيَّا بْنُ يَحْيَى قَالَ: حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَلِيُّ بْنُ الْحُسَيْنِ بْنِ وَاقِدٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: أَنْبَأَنَا يَزِيدُ النَّحْوِيُّ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ فِي قَوْلِهِ: ﴿۞ مَا نَنسَخْ مِنْ ءَايَةٍ أَوْ نُنسِهَا نَأْتِ بِخَيْرٍ مِّنْهَآ أَوْ مِثْلِهَآ﴾ [البقرة، الآية: 106] وَقَالَ: ﴿وَإِذَا بَدَّلْنَآ ءَايَةً مَّكَانَ ءَايَةٍ وَٱللَّهُ أَعْلَمُ بِمَا يُنَزِّلُ﴾ [النحل، الآية: 101] الآيَةَ. وَقَالَ: يَمْحُو ٱللَّهُ مَا يَشَآءُ وَيُثْبِتُ وَعِندَهُۥٓ أُمُّ ٱلْكِتَٰبِ فَأَوَّلُ مَا نُسِخَ مِنَ الْقُرْآنِ الْقِبْلَةُ وَقَالَ: ﴿وَٱلْمُطَلَّقَٰتُ يَتَرَبَّصْنَ بِأَنفُسِهِنَّ ثَلَٰثَةَ قُرُوٓءٍ﴾ [البقرة، الآية: 228] وَقَالَ: ﴿وَٱلَّٰٓـِٔي يَئِسْنَ مِنَ ٱلْمَحِيضِ مِن نِّسَآئِكُمْ إِنِ ٱرْتَبْتُمْ فَعِدَّتُهُنَّ ثَلَٰثَةُ أَشْهُرٍ﴾ [الطلاق، الآية: 4]فَنُسِخَ مِنْ ذٰلِكَ قَالَ تَعَالَى: ﴿ثُمَّ طَلَّقْتُمُوهُنَّ مِن قَبْلِ أَن تَمَسُّوهُنَّ فَمَا لَكُمْ عَلَيْهِنَّ مِنْ عِدَّةٍ تَعْتَدُّونَهَا﴾ [الأحزاب، الآية: 49].

(55) ـ بابُ عِدَّةِ الْمُتَوَفَّى عنها زَوْجُها

3497 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ وَكِيعٍ عَنْ شُعْبَةَ قَالَ: حَدَّثَنِي حُمَيْدُ بْنُ نَافِعٍ عَنْ زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ قَالَتْ أُمُّ حَبِيبَةَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «لاَ يَحِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ تَحِدُّ عَلَى مَيِّتٍ فَوْقَ ثَلاَثَةِ أَيَّامٍ إِلاَّ عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً».

3498- It is narrated on the authority of Zainab Bint Umm Salamah from her mother that The Messenger of Allah "Allah's blessing and peace be upon him" was asked about a woman whose husband died, and they feared for her eyes: "Should she apply kohl?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "(During the pre-Islamic period of ignorance) anyone of you (whose husband died) would spend a whole year in her house, wearing the worst clothes she had after which she might come out. No (she should not apply kohl) before four months and ten days would elapse."

3499- It is narrated on the authority of Zainab Bint Umm Salamah from both Umm Salamah and Umm Habibah that they said: A woman came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Allah's Apostle! The husband of my daughter died and she is suffering from an eye disease, can I apply kohl to her eye?" The Messenger of Allah "Allah's blessing and peace be upon him" replied: "No. In the Pre-Islamic Period of ignorance, a widow among you used to spend a whole year in her house (wearing the worst of her clothes, and now this year was reduced to) just four months and ten days; and when the whole year elapsed she would then come out and throw a globe of dung (following her husband's death, to indicate that the one-year period of her mourning was over).

3500- It is narrated on the authority of Hafsah Bint Umar, the wife of The Messenger of Allah "Allah's blessing and peace be upon him" from The Messenger of Allah "Allah's blessing and peace be upon him" that he said: "It is not lawful for a woman who believes in Allah and the Last Day to mourn for a dead person for more than three days except her husband for whom she should mourn for four months and ten days."

3501- It is narrated on the authority of Safiyyah Bint Abu Ubaid from one of the wives of The Messenger of Allah "Allah's blessing and peace be upon him" and Umm Salamah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not lawful for a woman who believes in Allah and the Last Day to mourn for a dead person for more than three days except her husband for whom she should mourn for four months and ten days."

3502- It is narrated on the authority of Safiyyah Bint Abu Ubaid from one of the wives of The Messenger of Allah "Allah's blessing and peace be upon him" i.e. Umm Salamah that The Messenger of Allah "Allah's blessing and peace be upon him" said the same.

3498 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ حُمَيْدِ بْنِ نَافِعٍ عَنْ زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ قُلْتُ: عَنْ أُمِّهَا؟ قَالَ: نَعَمْ؛ إِنَّ النَّبِيَّ ﷺ سُئِلَ عَنِ امْرَأَةٍ تُوُفِّيَ عَنْهَا زَوْجُهَا فَخَافُوا عَلَى عَيْنِهَا أَتَكْتَحِلُ؟ فَقَالَ: **«قَدْ كَانَتْ إِحْدَاكُنَّ تَمْكُثُ فِي بَيْتِهَا فِي شَرِّ أَحْلاَسِهَا حَوْلاً ثُمَّ خَرَجَتْ فَلاَ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً»**.

3499 ـ أَخْبَرَنِي إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا جَرِيرٌ عَنْ يَحْيَى بْنِ سَعِيدِ بْنِ قَيْسِ بْنِ قَهْدٍ الأَنْصَارِيِّ وَجَدُّهُ قَدْ أَدْرَكَ النَّبِيَّ ﷺ عَنْ حُمَيْدِ بْنِ نَافِعٍ عَنْ زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ عَنْ أُمِّ سَلَمَةَ وَأُمِّ حَبِيبَةَ قَالَتَا: جَاءَتِ امْرَأَةٌ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: إِنَّ ابْنَتِي تُوُفِّيَ عَنْهَا زَوْجُهَا وَإِنِّي أَخَافُ عَلَى عَيْنِهَا أَفَأَكْحُلُهَا فَقَالَ رَسُولُ اللَّهِ ﷺ: **«قَدْ كَانَتْ إِحْدَاكُنَّ تَجْلِسُ حَوْلاً وَإِنَّمَا هِيَ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً فَإِذَا كَانَ الْحَوْلُ خَرَجَتْ وَرَمَتْ وَرَاءَهَا بِبَعْرَةٍ»**.

3500 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا عَبْدُ الْوَهَّابِ قَالَ: سَمِعْتُ نَافِعاً يَقُولُ عَنْ صَفِيَّةَ بِنْتِ أَبِي عُبَيْدٍ أَنَّهَا سَمِعَتْ حَفْصَةَ بِنْتَ عُمَرَ زَوْجَ النَّبِيِّ ﷺ عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ يَحِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ تَحِدُّ عَلَى مَيِّتٍ فَوْقَ ثَلاَثٍ إِلاَّ عَلَى زَوْجٍ فَإِنَّهَا تَحِدُّ عَلَيْهِ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً»**.

3501 ـ أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ الصَّبَّاحِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَوَاءٍ قَالَ: أَنْبَأَنَا سَعِيدٌ عَنْ أَيُّوبَ عَنْ نَافِعٍ عَنْ صَفِيَّةَ بِنْتِ أَبِي عُبَيْدٍ عَنْ بَعْضِ أَزْوَاجِ النَّبِيِّ ﷺ وَعَنْ أُمِّ سَلَمَةَ أَنَّ النَّبِيَّ ﷺ قَالَ: **«لاَ يَحِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ تَحِدُّ عَلَى مَيِّتٍ أَكْثَرَ مِنْ ثَلاَثَةِ أَيَّامٍ إِلاَّ عَلَى زَوْجٍ فَإِنَّهَا تَحِدُّ عَلَيْهِ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً»**.

3502 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا السَّهْمِيُّ يَعْنِي عَبْدَ اللَّهِ بْنَ بَكْرٍ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ أَيُّوبَ عَنْ نَافِعٍ عَنْ صَفِيَّةَ بِنْتِ أَبِي عُبَيْدٍ عَنْ بَعْضِ أَزْوَاجِ النَّبِيِّ ﷺ وَهِيَ أُمُّ سَلَمَةَ: عَنِ النَّبِيِّ ﷺ نَحْوَهُ.

[56] The Period Of Iddat Of The Pregnant Whose Husband Dies

3503- It is narrated on the authority of Al-Miswar Ibn Makhramah that Subai'ah Al-Aslamiyyah delivered her babe a few nights after the death of her husband, thereupon she came to The Messenger of Allah "Allah's blessing and peace be upon him" and sought his permission to get married, and he gave her permission, and she got married.

3504- It is narrated on the authority of Al-Miswar Ibn Makhramah that Allah's Apostle "Allah's blessing and peace be upon him" ordered Subai'ah to get married (if she so liked) once she finished the postpartum period.

3505- It is narrated on the authority of Abu As-Sanabil that he said: Subai'ah (Al-Aslamiyyah) delivered her burden twenty-three or twenty-five days after the death of her husband, and when she finished the period of postpartum, she embellished herself for the suitors, thereupon she was criticized for that. When a mention of that was made to The Messenger of Allah "Allah's blessing and peace be upon him" he said: "What does prevent her from doing that? No doubt, the term prescribed for her (to wait after the death of her husband) has come to an end (by delivering her burden)."

3506- It is narrated on the authority of Abu Salamah that he said: Both Abu Hurairah and Ibn Abbas differed about such as whose husband dies and she then delivers her burden: Abu Hurairah said: "She could marry (if she so likes)." Ibn Abbas said: "(She should observe) the longer of both terms." (I.e. if she delivers her babe after a period of time lesser than four months and ten days, she then should wait until this period comes to an end; and if the term of four months and ten days comes to an end before she delivers her burden, she then should wait until she delivers her burden). They sent to Umm Salamah (to seek her verdict) thereupon she said: The husband of Subai'ah died, and she delivered her babe fifteen days i.e. half a month after his death. Then, two men demanded her hand, and she inclined to one of them. When they (her family) feared she might dispose of herself independently from them they said to her: "You are not free (to marry)." She said: Then, I went to The Messenger of Allah "Allah's blessing and peace be upon him" (and told him of that), thereupon he said: "You've (finished your term and thus) become free (to marry): so, get married to whomever you like."

3507- It is narrated on the authority of Abu Salamah that he said: Both Abu Hurairah and Ibn Abbas were asked about the pregnant whose husband dies: Ibn Abbas said: "(She should observe) the longer of both terms." (I.e. if she delivers her babe after a period of time lesser than four months and ten days, she then should wait until this period comes to an end; and if the term

(56) ـ بابُ عِدَّةِ الحَامِلِ المُتَوَفَّى عنها زَوْجُها

3503 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لِمُحَمَّدٍ قَالاَ: أَنْبَأَنَا ابْنُ الْقَاسِمِ عَنْ مَالِكٍ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ: «أَنَّ سُبَيْعَةَ الأَسْلَمِيَّةَ نُفِسَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِلَيَالٍ فَجَاءَتْ رَسُولَ اللَّهِ ﷺ فَاسْتَأْذَنَتْ أَنْ تَنْكِحَ فَأَذِنَ لَهَا فَنَكَحَتْ».

3504 ـ أَخْبَرَنَا نَصْرُ بْنُ عَلِيِّ بْنِ نَصْرٍ عَنْ عَبْدِ اللَّهِ بْنِ دَاوُدَ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ: «أَنَّ النَّبِيَّ ﷺ أَمَرَ سُبَيْعَةَ أَنْ تَنْكِحَ إِذَا تَعَلَّتْ مِنْ نِفَاسِهَا».

3505 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ قُدَامَةَ قَالَ: أَخْبَرَنِي جَرِيرٌ عَنْ مَنْصُورٍ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ أَبِي السَّنَابِلِ قَالَ: وَضَعَتْ سُبَيْعَةُ حَمْلَهَا بَعْدَ وَفَاةِ زَوْجِهَا بِثَلاَثَةٍ وَعِشْرِينَ أَوْ خَمْسَةٍ وَعِشْرِينَ لَيْلَةً فَلَمَّا تَعَلَّتْ تَشَوَّفَتْ لِلأَزْوَاجِ فَعِيبَ ذٰلِكَ عَلَيْهَا فَذُكِرَ ذٰلِكَ لِرَسُولِ اللَّهِ ﷺ فَقَالَ: **«مَا يَمْنَعُهَا؟ قَدِ انْقَضَى أَجَلُهَا»**.

3506 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي عَبْدُ رَبِّهِ بْنُ سَعِيدٍ قَالَ: سَمِعْتُ أَبَا سَلَمَةَ يَقُولُ: اخْتَلَفَ أَبُو هُرَيْرَةَ وَابْنُ عَبَّاسٍ فِي الْمُتَوَفَّى عَنْهَا زَوْجُهَا إِذَا وَضَعَتْ حَمْلَهَا قَالَ أَبُو هُرَيْرَةَ: تُزَوَّجُ وَقَالَ ابْنُ عَبَّاسٍ: أَبْعَدُ الأَجَلَيْنِ فَبَعَثُوا إِلَى أُمِّ سَلَمَةَ فَقَالَتْ: تُوُفِّيَ زَوْجُ سُبَيْعَةَ فَوَلَدَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِخَمْسَةِ عَشَرَ نِصْفِ شَهْرٍ قَالَتْ: فَخَطَبَهَا رَجُلاَنِ فَحَطَّتْ بِنَفْسِهَا إِلَى أَحَدِهِمَا فَلَمَّا خَشُوا أَنْ تَفْتَاتَ بِنَفْسِهَا قَالُوا: إِنَّكِ لاَ تَحِلِّينَ قَالَتْ: فَانْطَلَقَتْ إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَ: **«قَدْ حَلَلْتِ فَانْكِحِي مَنْ شِئْتِ»**.

3507 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ والْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لِمُحَمَّدٍ قَالَ: أَنْبَأَنَا ابْنُ الْقَاسِمِ عَنْ مَالِكٍ عَنْ عَبْدِ رَبِّهِ بْنِ سَعِيدٍ عَنْ أَبِي سَلَمَةَ قَالَ: سُئِلَ ابْنُ عَبَّاسٍ وَأَبُو هُرَيْرَةَ عَنِ الْمُتَوَفَّى عَنْهَا زَوْجُهَا وَهِيَ حَامِلٌ قَالَ ابْنُ

of four months and ten days comes to an end before she delivers her burden, she then should wait until she delivers her burden). Abu Hurairah said: "She could marry (if she so likes)." Abu Salamah came to visit Umm Salamah and asked her about that, thereupon she said: Subai'ah Al-Aslamiyyah delivered her babe half a month after the death of her husband. Then, two men demanded her hand, one of whom was young, and the other was old and she inclined to the young. The old one said: "She has not yet become free (to marry)." Her family were absent, and he hoped, by saying so, that when they returned, they would favour him with her. She went to The Messenger of Allah "Allah's blessing and peace be upon him" (and told him of that), thereupon he said: "You've (finished your term and thus) become free (to marry): so, get married to whomever you like."

3508- It is narrated on the authority of Abu Salamah that he said: Ibn Abbas was asked about a woman who delivered her burden twenty nights after the death of her husband: is it fitting for her to get married? He said: "No, unless she fulfills the longer of both terms." I said: "But Allah Almighty says: " for those who carry (life within their wombs), their period is until they deliver their burdens: and for those who fear Allah, He will make their path easy." (At-Talaq 4) he said: "This applies only to the matter of divorce." Abu Hurairah said: "I'm of the same opinion of the son of my brother, i.e. Abu Salamah." He (Ibn Abbas) sent Kuraib, his freed slave and said: "Go to Umm Salamah, and ask her: 'Was that out of the sunnah of The Messenger of Allah "Allah's blessing and peace be upon him"?'" He came back and told: She said: "Yes. Subai'ah Al-Aslamiyyah delivered her burden twenty nights after the death of her husband, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" ordered her to get married (if she so liked); and Abu As-Sanabil was one of those who demanded her hand."

3509- It is narrated on the authority of Sulaiman Ibn Yasar that Ibn Abbas, Abu Hurairah and Abu Salamah discussed the term of Iddat prescribed for a woman whose husband died, and she delivered her burden after his death: Ibn Abbas said: "She should fulfill the longer of both terms." Abu Salamah said: "No, she becomes free (to marry) once she delivers her burden." Abu Hurairah said: "I'm of the same opinion of the son of my brother." They sent to Umm Salamah, the wife of The Messenger of Allah "Allah's blessing and peace be upon him" (to seek her verdict) thereupon she said: "Subai'ah Al-Aslamiyyah delivered her burden a few time after the death of her husband, and she sought the religious verdict of The Messenger of Allah "Allah's blessing and peace be upon him" thereupon he ordered her to get married (if she so liked)."

عَبَّاسٍ: آخِرُ الأَجَلَيْنِ وَقَالَ أَبُو هُرَيْرَةَ: إِذَا وَلَدَتْ فَقَدْ حَلَّتْ فَدَخَلَ أَبُو سَلَمَةَ إِلَى أُمِّ سَلَمَةَ فَسَأَلَهَا عَنْ ذٰلِكَ فَقَالَتْ: وَلَدَتْ سُبَيْعَةُ الأَسْلَمِيَّةُ بَعْدَ وَفَاةِ زَوْجِهَا بِنِصْفِ شَهْرٍ فَخَطَبَهَا رَجُلَانِ أَحَدُهُمَا شَابٌّ وَالآخَرُ كَهْلٌ فَحَطَّتْ إِلَى الشَّابِّ فَقَالَ الْكَهْلُ: لَمْ تَحْلِلْ وَكَانَ أَهْلُهَا غُيَّباً فَرَجَا إِذَا جَاءَ أَهْلُهَا أَنْ يُؤْثِرُوهُ بِهَا فَجَاءَتْ رَسُولَ ٱللَّهِ ﷺ فَقَالَ: «**قَدْ حَلَلْتِ فَانْكِحِي مَنْ شِئْتِ**».

3508 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا حَجَّاجٌ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي كَثِيرٍ قَالَ: حَدَّثَنِي أَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: قِيلَ لابْنِ عَبَّاسٍ فِي ٱمْرَأَةٍ وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِعِشْرِينَ لَيْلَةً أَيَصْلُحُ لَهَا أَنْ تَزَوَّجَ؟ قَالَ: لاَ إِلاَّ آخِرَ الأَجَلَيْنِ قَالَ: قُلْتُ: قَالَ ٱللَّهُ تَبَارَكَ وَتَعَالَى: ﴿وَأُوْلَٰتُ ٱلْأَحْمَالِ أَجَلُهُنَّ أَن يَضَعْنَ حَمْلَهُنَّ﴾ فَقَالَ: إِنَّمَا ذٰلِكَ فِي الطَّلَاقِ فَقَالَ أَبُو هُرَيْرَةَ: أَنَا مَعَ ٱبْنِ أَخِي يَعْنِي أَبَا سَلَمَةَ فَأَرْسَلَ غُلَامَهُ كُرَيباً فَقَالَ: ٱئْتِ أُمَّ سَلَمَةَ فَسَلْهَا هَلْ كَانَ هٰذَا سُنَّةٌ مِنْ رَسُولِ ٱللَّهِ ﷺ؟ فَجَاءَ فَقَالَ: قَالَتْ: نَعَمْ سُبَيْعَةُ الأَسْلَمِيَّةُ وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِعِشْرِينَ لَيْلَةً فَأَمَرَهَا رَسُولُ ٱللَّهِ ﷺ أَنْ تَزَوَّجَ فَكَانَ أَبُو السَّنَابِلِ فِيمَنْ يَخْطُبُهَا.

3509 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ يَحْيَى عَنْ سُلَيْمَانَ بْنِ يَسَارٍ: أَنَّ أَبَا هُرَيْرَةَ وَٱبْنَ عَبَّاسٍ وَأَبَا سَلَمَةَ بْنَ عَبْدِ الرَّحْمٰنِ تَذَاكَرُوا عِدَّةَ الْمُتَوَفَّى عَنْهَا زَوْجُهَا تَضَعُ عِنْدَ وَفَاةِ زَوْجِهَا فَقَالَ ٱبْنُ عَبَّاسٍ: تَعْتَدُّ آخِرَ الأَجَلَيْنِ وَقَالَ أَبُو سَلَمَةَ: بَلْ تَحِلُّ حِينَ تَضَعُ فَقَالَ أَبُو هُرَيْرَةَ: أَنَا مَعَ ٱبْنِ أَخِي فَأَرْسَلُوا إِلَى أُمِّ سَلَمَةَ زَوْجِ النَّبِيِّ ﷺ فَقَالَتْ: وَضَعَتْ سُبَيْعَةُ الأَسْلَمِيَّةُ بَعْدَ وَفَاةِ زَوْجِهَا بِيَسِيرٍ فَٱسْتَفْتَتْ رَسُولَ ٱللَّهِ ﷺ فَأَمَرَهَا أَنْ تَتَزَوَّجَ.

3510- It is narrated on the authority of Umm Salamah that she said: " Subai'ah Al-Aslamiyyah delivered her burden a few nights after the death of her husband, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" ordered her to get married (if she so liked)."

3511- It is narrated on the authority of Sulaiman Ibn Yasar that Abdullah Ibn Abbas and Abu Salamah Ibn Abd Ar-Rahman discussed the term of Iddat prescribed for a woman whose husband died, and she delivered her burden a few nights after his death. Ibn Abbas said: "She should fulfill the longer of both terms." Abu Salamah said: "No, she becomes free (to marry) once she delivers her burden." Abu Hurairah came in and said: "I'm of the same opinion of the son of my brother i.e. Abu Salamah Ibn Abd Ar-Rahman." They sent Kuraib, the freed slave of Ibn Abbas to Umm Salamah to ask her about that, thereupon he came back and told them that she said: "Subai'ah Al-Aslamiyyah delivered her burden a few nights after the death of her husband, and she made a mention of that to The Messenger of Allah "Allah's blessing and peace be upon him" thereupon he said to her: "You've become free (to marry, since you fulfilled your term of Iddat)."

3512- It is narrated on the authority of Abu Salamah that he said: I was sitting in the company of Ibn Abbas and Abu Hurairah and Ibn Abbas said: "If a woman delivered her burden after the death of her husband She should fulfill the longer of both terms." Abu Salamah said: Abu Salamah said: So, we sent Kuraib, the freed slave of Ibn Abbas, to Umm Salamah, to ask her about that, thereupon he came back from her with the message that the husband of Subai'ah Al-Aslamiyyah died, and she delivered her burden a few days after his death, and The Messenger of Allah "Allah's blessing and peace be upon him" ordered her to get married (if she so liked)."

3513- It is narrated on the authority of Umm Salamah that there was a woman from Aslam called Subai'ah, and she was married, and her husband died while she was pregnant, and Abu As-Sanabil Ibn Ba'kak demanded her hand, and she refused. On that he said: "It is unfitting for you to marry until you fulfill the longer of both terms." She spent nearly twenty nights and then she delivered her burden. She went to The Messenger of Allah "Allah's blessing and peace be upon him" and (made a mention of that to him, and) he said to her: "Get married (to whomever you like)."

3514- It is narrated on the authority of Abu Salamah Ibn Abd Ar-Rahman that he said: While I and Abu Hurairah were sitting with Ibn Abbas, a woman came to him and said: "A woman's husband died while she was pregnant, and then she delivered her burden less than four months after his death (has she become free to marry)?" Ibn Abbas said: "(She should fulfill)

3510 ـ أَخْبَرَنَا عَبْدُ الأَعْلَى بْنُ وَاصِلِ بْنِ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ عَنْ سُفْيَانَ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ عَنْ كُرَيْبٍ عَنْ أُمِّ سَلَمَةَ وَمُحَمَّدُ بْنُ عَمْرٍو عَنْ أَبِي سَلَمَةَ عَنْ كُرَيْبٍ عَنْ أُمِّ سَلَمَةَ قَالَتْ: وَضَعَتْ سُبَيْعَةُ بَعْدَ وَفَاةِ زَوْجِهَا بِأَيَّامٍ فَأَمَرَهَا رَسُولُ ٱللَّهِ ﷺ أَنْ تَزَوَّجَ.

3511 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ عَنِ ٱبْنِ الْقَاسِمِ عَنْ مَالِكٍ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ: أَنَّ عَبْدَ ٱللَّهِ بْنَ عَبَّاسٍ وَأَبَا سَلَمَةَ بْنَ عَبْدِ الرَّحْمٰنِ ٱخْتَلَفَا فِي الْمَرْأَةِ تُنْفَسُ بَعْدَ وَفَاةِ زَوْجِهَا بِلَيَالٍ فَقَالَ عَبْدُ ٱللَّهِ بْنُ عَبَّاسٍ: آخِرُ الأَجَلَيْنِ وَقَالَ أَبُو سَلَمَةَ: إِذَا نُفِسَتْ فَقَدْ حَلَّتْ فَجَاءَ أَبُو هُرَيْرَةَ فَقَالَ: أَنَا مَعَ ٱبْنِ أَخِي يَعْنِي أَبَا سَلَمَةَ بْنَ عَبْدِ الرَّحْمٰنِ فَبَعَثُوا كُرَيْباً مَوْلَى ٱبْنِ عَبَّاسٍ إِلَى أُمِّ سَلَمَةَ يَسْأَلُهَا عَنْ ذٰلِكَ فَجَاءَهُمْ فَأَخْبَرَهُمْ أَنَّهَا قَالَتْ: وَلَدَتْ سُبَيْعَةُ بَعْدَ وَفَاةِ زَوْجِهَا بِلَيَالٍ فَذَكَرَتْ ذٰلِكَ لِرَسُولِ ٱللَّهِ ﷺ فَقَالَ: «قَدْ حَلَلْتِ».

3512 ـ أَخْبَرَنَا حُسَيْنُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا جَعْفَرُ بْنُ عَوْنٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: أَخْبَرَنِي سُلَيْمَانُ بْنُ يَسَارٍ قَالَ: أَخْبَرَنِي أَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: كُنْتُ أَنَا وَٱبْنُ عَبَّاسٍ وَأَبُو هُرَيْرَةَ فَقَالَ ٱبْنُ عَبَّاسٍ: إِذَا وَضَعَتِ الْمَرْأَةُ بَعْدَ وَفَاةِ زَوْجِهَا فَإِنَّ عِدَّتَهَا آخِرُ الأَجَلَيْنِ فَقَالَ أَبُو سَلَمَةَ: فَبَعَثْنَا كُرَيْباً إِلَى أُمِّ سَلَمَةَ يَسْأَلُهَا عَنْ ذٰلِكَ فَجَاءَنَا مِنْ عِنْدِهَا أَنَّ سُبَيْعَةَ تُوُفِّيَ عَنْهَا زَوْجُهَا فَوَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِأَيَّامٍ فَأَمَرَهَا رَسُولُ ٱللَّهِ ﷺ أَنْ تَتَزَوَّجَ.

3513 ـ أَخْبَرَنَا عَبْدُ الْمَلِكِ بْنُ شُعَيْبِ بْنِ اللَّيْثِ بْنِ سَعْدٍ قَالَ: حَدَّثَنِي أَبِي عَنْ جَدِّي قَالَ: حَدَّثَنِي جَعْفَرُ بْنُ رَبِيعَةَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ هُرْمُزَ عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ أَنَّ زَيْنَبَ بِنْتَ أَبِي سَلَمَةَ أَخْبَرَتْهُ عَنْ أُمِّهَا أُمِّ سَلَمَةَ زَوْجِ النَّبِيِّ ﷺ: أَنَّ ٱمْرَأَةً مِنْ أَسْلَمَ يُقَالُ لَهَا سُبَيْعَةُ كَانَتْ تَحْتَ زَوْجِهَا فَتُوُفِّيَ عَنْهَا وَهِيَ حُبْلَى فَخَطَبَهَا أَبُو السَّنَابِلِ بْنُ بَعْكَكٍ فَأَبَتْ أَنْ تَنْكِحَهُ فَقَالَ: مَا يَصْلُحُ لَكِ أَنْ تَنْكِحِي حَتَّى تَعْتَدِّي آخِرَ الأَجَلَيْنِ فَمَكَثَتْ قَرِيباً مِنْ عِشْرِينَ لَيْلَةً ثُمَّ نَفِسَتْ فَجَاءَتْ رَسُولَ ٱللَّهِ ﷺ فَقَالَ: «ٱنْكِحِي».

3514 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي دَاوُدُ بْنُ أَبِي عَاصِمٍ أَنَّ أَبَا سَلَمَةَ بْنَ عَبْدِ الرَّحْمٰنِ أَخْبَرَهُ قَالَ: بَيْنَمَا أَنَا وَأَبُو هُرَيْرَةَ عِنْدَ ٱبْنِ عَبَّاسٍ إِذْ جَاءَتْهُ ٱمْرَأَةٌ فَقَالَتْ: تُوُفِّيَ عَنْهَا زَوْجُهَا وَهِيَ حَامِلٌ فَوَلَدَتْ لأَدْنَى مِنْ أَرْبَعَةِ أَشْهُرٍ مِنْ يَوْمِ مَاتَ فَقَالَ ٱبْنُ عَبَّاسٍ: آخِرُ الأَجَلَيْنِ

the longer of both terms." Abu Salamah said: One of the companions of The Messenger of Allah "Allah's blessing and peace be upon him" told me that Subai'ah Al-Aslamiyyah came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "Her husband died while she was pregnant and then she delivered her burden less than four months after his death." On that The Messenger of Allah "Allah's blessing and peace be upon him" ordered her to get married (if she so liked)." Abu Hurairah said: "I bear witness to that."

3515- It is narrated on the authority of Ubaidullah Ibn Abdullah Ibn Utbah from his father that he had written to Umar Ibn Abdullah Ibn Arqam Az-Zuhri, ordering him to go to Subai'ah Bint Al-Harith Al-Aslamiyyah in order that he might ask her about her story, and what The Messenger of Allah "Allah's blessing and peace be upon him" said to her when she went to him to take his religious verdict (regarding her marriage after she had given birth to her child, knowing that her husband had died during her pregnancy). Umar Ibn Abdullah Ibn Arqam replied: Subai'ah Bint Al-Harith told that she was married to Sa'd Ibn Khawlah who was from the tribe of Banu Amr Ibn Lu'ai, and was one of those who attended the holy battle of Badr. He died while she was pregnant during The Farewell Hajj. Soon after his death, she gave birth to a child. When she completed the term of birth confinement (and became clean), she embellished herself for suitors. Abu As-Sanabil Ibn Ba'kak, a man from the tribe of Banu Abd Ad-Dar visited and said to her: "What is the matter! I see you dressed up for the people to demand you in marriage. Do you want to marry? By Allah, you are not free to marry before four months and ten days have elapsed (following your husband's death)." Subai'ah added: "When he (Abu As-Sanabil) said so, I put on my dress in the evening and went to The Messenger of Allah "Allah's blessing and peace be upon him" whom I asked about this matter. He gave the verdict that I was free to marry since I delivered my child; and ordered me to marry if I wished."

3516- It is narrated on the authority of Zufar Ibn Aws Ibn Al-Hadthan An-Nasri that Abu As-Sanabil Ibn Ba'kak Ibn As-Sabbaq said to Subai'ah Al-Aslamiyyah: "It is unlawful for you (to marry) until four months and ten days have elapsed (as of the death of your husband), i.e. the longer of both terms." She then went to The Messenger of Allah "Allah's blessing and peace be upon him" and asked him about that, and she pretended that The Messenger of Allah "Allah's blessing and peace be upon him" gave her the religious verdict that she was free to marry once she delivered her burden. When her husband died, she was in the ninth month of her pregnancy. Her husband was Sa'd Ibn Khawlah, who died during the Farewell Hajj which he performed in the company of The Messenger of Allah "Allah's blessing and

فَقَالَ أَبُو سَلَمَةَ: أَخْبَرَنِي رَجُلٌ مِنْ أَصْحَابِ النَّبِيِّ ﷺ أَنَّ سُبَيْعَةَ الأَسْلَمِيَّةَ جَاءَتْ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَتْ: تُوُفِّيَ عَنْهَا زَوْجُهَا وَهِيَ حَامِلٌ فَوَلَدَتْ لأَدْنَى مِنْ أَرْبَعَةِ أَشْهُرٍ فَأَمَرَهَا رَسُولُ ٱللَّهِ ﷺ أَنْ تَتَزَوَّجَ قَالَ أَبُو هُرَيْرَةَ: وَأَنَا أَشْهَدُ عَلَى ذٰلِكَ.

3515 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ أَنَّ عُبَيْدَ ٱللَّهِ بْنَ عَبْدِ ٱللَّهِ حَدَّثَهُ أَنَّ أَبَاهُ كَتَبَ إِلَى عُمَرَ بْنِ عَبْدِ ٱللَّهِ بْنِ أَرْقَمَ الزُّهْرِيِّ يَأْمُرُهُ أَنْ يَدْخُلَ عَلَى سُبَيْعَةَ بِنْتِ الْحَارِثِ الأَسْلَمِيَّةِ فَيَسْأَلُهَا حَدِيثَهَا وَعَمَّا قَالَ لَهَا رَسُولُ ٱللَّهِ ﷺ حِينَ ٱسْتَفْتَتْهُ فَكَتَبَ عُمَرُ بْنُ عَبْدِ ٱللَّهِ إِلَى عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ يُخْبِرُهُ: أَنَّ سُبَيْعَةَ أَخْبَرَتْهُ أَنَّهَا كَانَتْ تَحْتَ سَعْدِ بْنِ خَوْلَةَ وَهُوَ مِنْ بَنِي عَامِرِ بْنِ لُؤَيٍّ وَكَانَ مِمَّنْ شَهِدَ بَدْراً فَتُوُفِّيَ عَنْهَا زَوْجُهَا فِي حَجَّةِ الوَدَاعِ وَهِيَ حَامِلٌ فَلَمْ تَنْشَبْ أَنْ وَضَعَتْ حَمْلَهَا بَعْدَ وَفَاتِهِ فَلَمَّا تَعَلَّتْ مِنْ نِفَاسِهَا تَجَمَّلَتْ لِلْخُطَّابِ فَدَخَلَ عَلَيْهَا أَبُو السَّنَابِلِ بْنُ بَعْكَكٍ رَجُلٌ مِنْ بَنِي عَبْدِ الدَّارِ فَقَالَ لَهَا: مَا لِي أَرَاكِ مُتَجَمِّلَةً؟ لَعَلكِ تُرِيدِينَ النِّكَاحَ إِنَّكِ وَٱللَّهِ مَا أَنْتِ بِنَاكِحٍ حَتَّى تَمُرَّ عَلَيْكِ أَرْبَعَةُ أَشْهُرٍ وَعَشْراً قَالَتْ سُبَيْعَةُ: فَلَمَّا قَالَ لِي ذٰلِكَ جَمَعْتُ عَلَيَّ ثِيَابِي حِينَ أَمْسَيْتُ فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَسَأَلْتُهُ عَنْ ذٰلِكَ فَأَفْتَانِي بِأَنِّي قَدْ حَلَلْتُ حِينَ وَضَعْتُ حَمْلِي وَأَمَرَنِي بِالتَّزْوِيجِ إِنْ بَدَا لِي.

3516 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ وَهْبٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنِي أَبُو عَبْدِ الرَّحِيمِ قَالَ: حَدَّثَنِي زَيْدُ بْنُ أَبِي أُنَيْسَةَ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ الزُّهْرِيِّ قَالَ: كَتَبَ إِلَيْهِ يَذْكُرُ أَنَّ عُبَيْدَ ٱللَّهِ بْنَ عَبْدِ ٱللَّهِ حَدَّثَهُ أَنَّ زُفَرَ بْنَ أَوْسِ بْنِ الْحَدَثَانِ النَّصْرِيَّ حَدَّثَهُ: أَنَّ أَبَا السَّنَابِلِ بْنَ بَعْكَكٍ بْنِ السَّبَّاقِ قَالَ لِسُبَيْعَةَ الأَسْلَمِيَّةِ: لاَ تَحِلِّينَ حَتَّى يَمُرَّ عَلَيْكِ أَرْبَعَةُ أَشْهُرٍ وَعَشْراً أَقْصَى الأَجَلَيْنِ فَأَتَتْ رَسُولَ ٱللَّهِ ﷺ فَسَأَلَتْهُ عَنْ ذٰلِكَ فَزَعَمَتْ أَنَّ رَسُولَ ٱللَّهِ ﷺ أَفْتَاهَا أَنْ تَنْكِحَ إِذَا وَضَعَتْ حَمْلَهَا وَكَانَتْ حُبْلَى فِي تِسْعَةِ أَشْهُرٍ حِينَ تُوُفِّيَ زَوْجُهَا وَكَانَتْ تَحْتَ سَعْدِ بْنِ خَوْلَةَ فَتُوُفِّيَ فِي حَجَّةِ الْوَدَاعِ مَعَ رَسُولِ ٱللَّهِ ﷺ فَنَكَحَتْ

peace be upon him". When she delivered what was in her womb, she got married to a young man belonging to her people.

3517- It is narrated on the authority of Ubaidullah Ibn Abdullah Ibn Utbah from his father that he had written to Umar Ibn Abdullah Ibn Arqam Az-Zuhri, ordering him to go to Subai'ah Bint Al-Harith Al-Aslamiyyah in order that he might ask her about the religious verdict which The Messenger of Allah "Allah's blessing and peace be upon him" gave to her regarding her (marriage after she had delivered her burden, knowing that her husband had died during her) pregnancy. Umar Ibn Abdullah Ibn Arqam visited Subai'ah and asked her about that, thereupon she told him that she was married to Sa'd Ibn Khawlah who was one of those who attended the holy battle of Badr. He died while she was pregnant during The Farewell Hajj. Soon, she gave birth to a child less than four months and ten days after his death. When she completed the term of birth confinement (and became clean), Abu As-Sanabil Ibn Ba'kak, a man from the tribe of Banu Abd Ad-Dar visited her and found that she had embellished herself for suitors. On that he said to her: "Perhaps you like to be given in marriage before the term of four months and ten days came to an end. Subai'ah added: "When I heard that from Abu As-Sanabil I went to The Messenger of Allah "Allah's blessing and peace be upon him" whom I told about that. On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, you've become free (to marry) since you delivered your burden.""

3518- It is narrated on the authority of Ibn Awn from Muhammad that he said: I was sitting among some people in a great gathering of the Ansar, including Abd Ar-Rahman, and they discussed the matter of Subai'ah, and I made a mention the narration of Abdullah Ibn Utbah Ibn Mas'ud, as Ibn Awn had mentioned, up to his saying: "Until she delivers her burden." Ibn Abu Laila said: "But his paternal uncle (Ibn Mas'ud) does not adopt that opinion." I raised my voice, and said: "If I tell a lie about Abdullah Ibn Utbah Ibn Mas'ud, I would be then too bold, since he is in Kufah." I met Malik and asked him: "What had Ibn Mas'ud used to say pertaining to Subai'ah?" he said: He said: "Do you make the longer (term of four months and ten days) binding upon her, even though you do not make the concession in her favour? No doubt, the shorter Surah of women (i.e. At-Talaq) was revealed after the longer (Surah of women, i.e. Al-Baqarah)." (This means that the judgement pertaining to the term of four months and ten days in the Surah of Women was abrogated, as far as pregnancy is concerned, by Allah's saying in the Surah of At-Talaq: " for those who carry (life within their wombs), their period is until they deliver their burdens: and for those who fear Allah, He will make their path easy." (4)

فَتًى مِنْ قَوْمِهَا حِينَ وَضَعَتْ مَا فِي بَطْنِهَا.

3517 ـ أَخْبَرَنَا كَثِيرُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ حَرْبٍ عَنِ الزُّبَيْدِيِّ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ أَنَّ عَبْدَ ٱللَّهِ بْنَ عُتْبَةَ: كَتَبَ إِلَى عُمَرَ بْنِ عَبْدِ ٱللَّهِ بْنِ الأَرْقَمِ الزُّهْرِيِّ أَنِ ٱدْخُلْ عَلَى سُبَيْعَةَ بِنْتِ الْحَارِثِ الأَسْلَمِيَّةَ فَاسْأَلْهَا عَمَّا أَفْتَاهَا بِهِ رَسُولُ ٱللَّهِ ﷺ فِي حَمْلِهَا قَالَ: فَدَخَلَ عَلَيْهَا عُمَرُ بْنُ عَبْدِ ٱللَّهِ فَسَأَلَهَا فَأَخْبَرَتْهُ أَنَّهَا كَانَتْ تَحْتَ سَعْدِ بْنِ خَوْلَةَ وَكَانَ مِنْ أَصْحَابِ رَسُولِ ٱللَّهِ ﷺ مِمَّنْ شَهِدَ بَدْراً فَتُوُفِّيَ عَنْهَا فِي حَجَّةِ الْوَدَاعِ فَوَلَدَتْ قَبْلَ أَنْ تَمْضِيَ لَهَا أَرْبَعَةُ أَشْهُرٍ وَعَشْراً مِنْ وَفَاةِ زَوْجِهَا فَلَمَّا تَعَلَّتْ مِنْ نِفَاسِهَا دَخَلَ عَلَيْهَا أَبُو السَّنَابِلِ رَجُلٌ مِنْ بَنِي عَبْدِ الدَّارِ فَرَآهَا مُتَجَمِّلَةً فَقَالَ: لَعَلَّكِ تُرِيدِينَ النِّكَاحَ قَبْلَ أَنْ تَمُرَّ عَلَيْكِ أَرْبَعَةُ أَشْهُرٍ وَعَشْراً قَالَتْ: فَلَمَّا سَمِعْتُ ذٰلِكَ مِنْ أَبِي السَّنَابِلِ جِئْتُ رَسُولَ ٱللَّهِ ﷺ فَحَدَّثْتُهُ حَدِيثِي فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«قَدْ حَلَلْتِ حِينَ وَضَعْتِ حَمْلَكِ»**.

3518 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا ٱبْنُ عَوْنٍ عَنْ مُحَمَّدٍ قَالَ: كُنْتُ جَالِساً فِي نَاسٍ بِالْكُوفَةِ فِي مَجْلِسٍ لِلأَنْصَارِ عَظِيمٍ فِيهِمْ عَبْدُ الرَّحْمٰنِ بْنُ أَبِي لَيْلَى فَذَكَرُوا شَأْنَ سُبَيْعَةَ، فَذَكَرْتُ عَنْ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ بْنِ مَسْعُودٍ فِي مَعْنَى قَوْلِ ٱبْنِ عَوْنٍ حَتَّى تَضَعَ قَالَ ٱبْنُ أَبِي لَيْلَى: لٰكِنْ عَمَّهُ لاَ يَقُولُ ذٰلِكَ فَرَفَعْتُ صَوْتِي وَقُلْتُ: إِنِّي لَجَرِيءٌ أَنْ أَكْذِبَ عَلَى عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ وَهُوَ فِي نَاحِيَةِ الْكُوفَةِ قَالَ: فَلَقِيتُ مَالِكاً قُلْتُ: كَيْفَ كَانَ ٱبْنُ مَسْعُودٍ يَقُولُ فِي شَأْنِ سُبَيْعَةَ؟ قَالَ: قَالَ: أَتَجْعَلُونَ عَلَيْهَا التَّغْلِيظَ وَلاَ تَجْعَلُونَ لَهَا الرُّخْصَةَ؟ لأُنْزِلَتْ سُورَةُ النِّسَاءِ الْقُصْرَى بَعْدَ الطُّولَى.

3519- It is narrated on the authority of Ibn Mas'ud that he said: Whoever wishes that I should challenge him, I should do: no doubt, the Holy Verse " for those who carry (life within their wombs), their period is until they deliver their burdens: and for those who fear Allah, He will make their path easy" (4) was not revealed but after the Holy Verse of such of women as whose husband dies: i.e. once such of women as whose husband dies delivers her burden, she becomes free (to marry if she so likes).

3520- It is narrated on the authority of Abdullah Ibn Mas'ud that the shorter Surah of women (i.e. At-Talaq) was revealed after (the longer Surah of women, i.e.) Al-Baqarah).

[57] The Term Of Iddat Fixed For Such As Whose Husband Dies Before Consummating Marriage With Her

3521- It is narrated on the authority of Alqamah that Abdullah Ibn Mas'ud was asked about a woman who got married to a man who fixed no dower for her nor did he consummate marriage with her until he died. He said: "She should have the dower in full with no reduction nor increase, (her portion of) the heritage should be given to her, and the term of Iddat is binding upon her." On that Ma'qil Ibn Sinan Al-Ashja'i stood up and said: "The same judgement as that you have given was passed by the Messenger of Allah "Allah's blessing and peace be upon him" in connection with a woman belonging to us, i.e. Baru' Bint Washiq." On that Abdullah Ibn Mas'ud became so much pleased (that his judgement agreed with that of the Messenger of Allah).

[58] Mourning (For The Dead)

3522- It is narrated on the authority of A'ishah that she said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not lawful for a woman to mourn for a dead more than three days, except her husband, (for whom she should mourn for four months and ten days)."

3523- It is narrated on the authority of A'ishah that she said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not lawful for a woman who has faith in Allah and the Last Day to mourn for a dead more than three days, except her husband, (for whom she should mourn for four months and ten days)."

[59] There Is No Mourning Binding Upon A Woman Of Scripture Whose Husband Dies

3524- It is narrated on the authority of Umm Habibah that she said: I heard the Messenger of Allah "Allah's blessing and peace be upon him"

3519 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ مِسْكِينِ بْنِ نُمَيْلَةَ يَمَامِيٌّ قَالَ: أَنْبَأَنَا سَعِيدُ بْنُ أَبِي مَرْيَمَ قَالَ: أَنْبَأَنَا مُحَمَّدُ بْنُ جَعْفَرٍ ح. وَأَخْبَرَنِي مَيْمُونُ بْنُ الْعَبَّاسِ قَالَ: حَدَّثَنَا سَعِيدُ بْنُ الْحَكَمِ بْنِ أَبِي مَرْيَمَ قَالَ: أَخْبَرَنِي مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنِي ٱبْنُ شُبْرُمَةَ الْكُوفِيُّ عَنْ إِبْرَاهِيمَ النَّخَعِيِّ عَنْ عَلْقَمَةَ بْنِ قَيْسٍ: أَنَّ ٱبْنَ مَسْعُودٍ قَالَ: مَنْ شَاءَ لاَعَنْتُهُ مَا أُنْزِلَتْ ﴿وَأُوْلَٰتُ ٱلْأَحْمَالِ أَجَلُهُنَّ أَن يَضَعْنَ حَمْلَهُنَّ﴾ [الطلاق، الآية: 4] إِلاَّ بَعْدَ آيَةِ الْمُتَوَفَّى عَنْهَا زَوْجُهَا إِذَا وَضَعَتِ الْمُتَوَفَّى عَنْهَا زَوْجُهَا فَقَدْ حَلَّتْ. وَاللَّفْظُ لِمَيْمُونٍ.

3520 ـ أَخْبَرَنَا أَبُو دَاوُدَ سُلَيْمَانُ بْنُ سَيْفٍ قَالَ: حَدَّثَنَا الْحَسَنُ وَهُوَ ٱبْنُ أَعْيَنَ قَالَ: حَدَّثَنَا زُهَيْرٌ ح. وَأَخْبَرَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا زُهَيْرُ بْنُ مُعَاوِيَةَ قَالَ: حَدَّثَنَا أَبُو إِسْحَاقَ عَنِ الأَسْوَدِ وَمَسْرُوقٍ وَعُبَيْدَةَ عَنْ عَبْدِ ٱللَّهِ: «أَنَّ سُورَةَ النِّسَاءِ الْقُصْرَى نَزَلَتْ بَعْدَ الْبَقَرَةِ».

(57) ـ عِدَّةُ الْمُتَوَفَّى عنها زَوْجُها قبل أنْ يَدْخُلَ بها

3521 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ مَنْصُورٍ عَنْ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ عَنِ ٱبْنِ مَسْعُودٍ: أَنَّهُ سُئِلَ عَنْ رَجُلٍ تَزَوَّجَ ٱمْرَأَةً وَلَمْ يَفْرِضْ لَهَا صَدَاقاً وَلَمْ يَدْخُلْ بِهَا حَتَّى مَاتَ قَالَ ٱبْنُ مَسْعُودٍ: لَهَا مِثْلُ صَدَاقِ نِسَائِهَا لاَ وَكْسَ وَلاَ شَطَطَ وَعَلَيْهَا الْعِدَّةُ وَلَهَا الْمِيرَاثُ فَقَامَ مَعْقِلُ بْنُ سِنَانٍ الأَشْجَعِيُّ فَقَالَ: قَضَى فِينَا رَسُولُ ٱللَّهِ ﷺ فِي بَرْوَعَ بِنْتِ وَاشِقٍ ٱمْرَأَةٍ مِنَّا مِثْلَ مَا قَضَيْتَ. فَفَرِحَ ٱبْنُ مَسْعُودٍ رَضِيَ ٱللَّهُ عَنْهُ.

(58) ـ بابُ الإحْدَادِ

3522 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لاَ يَحِلُّ لاِمْرَأَةٍ تَحِدُّ عَلَى مَيِّتٍ أَكْثَرَ مِنْ ثَلاَثٍ إِلاَّ عَلَى زَوْجِهَا»**.

3523 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْمَرٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ كَثِيرٍ قَالَ: حَدَّثَنَا الزُّهْرِيُّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ أَنَّ النَّبِيَّ ﷺ قَالَ: **«لاَ يَحِلُّ لاِمْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ أَنْ تَحِدَّ فَوْقَ ثَلاَثَةِ أَيَّامٍ إِلاَّ عَلَى زَوْجٍ»**.

(59) ـ بابُ سُقُوطِ الإحْدَادِ عَنِ الكِتَابِيَّةِ الْمُتَوَفَّى عنها زَوْجُها

3524 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ يُوسُفَ قَالَ: حَدَّثَنَا ٱللَّيْثُ قَالَ: حَدَّثَنِي أَيُّوبُ بْنُ مُوسَى عَنْ حُمَيْدِ بْنِ نَافِعٍ عَنْ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ أَنَّ أُمَّ

having said from over this pulpit: "It is not lawful for a woman who has faith in Allah and His Messenger to mourn for a dead more than three days, except her husband, for whom she should mourn for four months and ten days."

[60] Such Of Women As Whose Husband Dies Stays In Her House Until She Becomes Free (To Marry)

3525- It is narrated on the authority of Al-Fari'ah Bint Malik that her husband sent out in pursuit of some slaves belonging to him, who killed him. Her house was very far (from the habitation). She came in the company of her brother to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him, thereupon he gave her concession (to leave it). When she turned her back, he invited her and said: "Remain in your house until the (term of Iddat fixed in the) Book is fulfilled."

3526- It is narrated on the authority of Al-Furai'ah Bint Malik that her husband hired some slaves to work for him, and they killed him. She made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him" and said: " I do not live in an independent dwelling owned by him, and he had left for me no maintenance: should I move to (the house of) my family and the orphans who are under my guardianship and look after them?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "You might do." A while later he said: "What did you say?" I related to him the story of my husband once again. Upon this he said: "Stay in the very place where you've received the news (of your husband's death until the term of Iddat is fulfilled."

3527- It is narrated on the authority of Furai'ah that her husband set out in pursuit of some slaves belonging to him, and they killed him at near Qadum (a place six miles form Medina). She said: I went to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention to him of (the possibility of) movement to my family", and she mentioned to him some of her affairs. She said: He gave me concession (to move) and when I turned away he called me and said: "Remain in the house (where you are) until the (period prescribed for such as whose husband dies in the) Book is fulfilled."

[61] The Concession For Such As Whose Husband Dies To Fulfill The Period Of Her Iddat Wherever She Likes

3528- It is narrated on the authority of Ata' from Ibn Abbas that he said: "This statement ("but if they leave (the residence), there is no blame on you for what they do with themselves") abrogated her (the widow's) dwelling in the house of her late husband, and she could complete the Iddat wherever she likes, as Allah's Statement "Without turning them out..."tells."

حَبِيبَةَ قَالَتْ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ عَلَى هٰذَا الْمِنْبَرِ: «**لاَ يَحِلُّ لامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَرَسُولِهِ أَنْ تَحِدَّ عَلَى مَيِّتٍ فَوْقَ ثَلاَثِ لَيَالٍ إِلاَّ عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً**».

(60) ـ مُقَامُ المُتَوَفَّى عنها زَوْجُها في بَيْتِها حتَّى تَحِلَّ

3525 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا ٱبْنُ إِدْرِيسَ عَنْ شُعْبَةَ وَٱبْنُ جُرَيْجٍ وَيَحْيَى بْنُ سَعِيدٍ وَمُحَمَّدُ بْنُ إِسْحَاقَ عَنْ سَعْدِ بْنِ إِسْحَاقَ عَنْ زَيْنَبَ بِنْتِ كَعْبٍ عَنِ الْفَارِعَةِ بِنْتِ مَالِكٍ: أَنَّ زَوْجَهَا خَرَجَ فِي طَلَبِ أَعْلاَجٍ فَقَتَلُوهُ قَالَ شُعْبَةُ وَٱبْنُ جُرَيْجٍ: وَكَانَتْ فِي دَارٍ قَاصِيَةٍ فَجَاءَتْ وَمَعَهَا أَخُوهَا إِلَى رَسُولِ ٱللَّهِ ﷺ فَذَكَرُوا لَهُ فَرَخَّصَ لَهَا حَتَّى إِذَا رَجَعَتْ دَعَاهَا فَقَالَ: «**ٱجْلِسِي فِي بَيْتِكِ حَتَّى يَبْلُغَ الْكِتَابُ أَجَلَهُ**».

3526 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ يَزِيدَ بْنِ مُحَمَّدٍ عَنْ سَعْدِ بْنِ إِسْحَاقَ عَنْ عَمَّتِهِ زَيْنَبَ بِنْتِ كَعْبٍ، عَنِ الْفُرَيْعَةِ بِنْتِ مَالِكٍ: أَنَّ زَوْجَهَا تَكَارَى عُلُوجاً لِيَعْمَلُوا لَهُ فَقَتَلُوهُ فَذَكَرَتْ ذٰلِكَ لِرَسُولِ ٱللَّهِ ﷺ وَقَالَتْ: إِنِّي لَسْتُ فِي مَسْكَنٍ لَهُ وَلاَ يَجْرِي عَلَيَّ مِنْهُ رِزْقٌ أَفَأَنْتَقِلُ إِلَى أَهْلِي وَيَتَامَايَ وَأَقُومُ عَلَيْهِمْ؟ قَالَ: «**ٱفْعَلِي**» ثُمَّ قَالَ: «**كَيْفَ قُلْتِ؟**» فَأَعَادَتْ عَلَيْهِ قَوْلَهَا قَالَ: «**ٱعْتَدِّي حَيْثُ بَلَغَكِ الْخَبَرُ**».

3527 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ سَعْدِ بْنِ إِسْحَاقَ عَنْ زَيْنَبَ عَنْ فُرَيْعَةَ: أَنَّ زَوْجَهَا خَرَجَ فِي طَلَبِ أَعْلاَجٍ لَهُ فَقُتِلَ بِطَرَفِ الْقَدُومِ قَالَتْ: فَأَتَيْتُ النَّبِيَّ ﷺ فَذَكَرْتُ لَهُ النُّقْلَةَ إِلَى أَهْلِي وَذَكَرْتُ لَهُ حَالاً مِنْ حَالِهَا قَالَتْ: فَرَخَّصَ لِي فَلَمَّا أَقْبَلْتُ نَادَانِي فَقَالَ: «**ٱمْكُثِي فِي أَهْلِكِ حَتَّى يَبْلُغَ الْكِتَابُ أَجَلَهُ**».

(61) ـ بابُ الرُّخْصَةِ للمُتَوَفَّى عنها زَوْجُها أَنْ تَعْتَدَّ حيثُ شَاءَتْ

3528 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَزِيدُ قَالَ: حَدَّثَنَا وَرْقَاءُ عَنِ ٱبْنِ أَبِي نُجَيْحٍ قَالَ عَطَاءٌ عَنِ ٱبْنِ عَبَّاسٍ: نَسَخَتْ هٰذِهِ الآيَةُ عِدَّتَهَا فِي أَهْلِهَا فَتَعْتَدُّ حَيْثُ شَاءَتْ وَهُوَ قَوْلُ ٱللَّهِ عَزَّ وَجَلَّ ﴿غَيْرَ إِخْرَاجٍ﴾ [البقرة، الآية: 240].

[62] The Period Of Iddat Of Such As Whose Husband Dies Begins From The Very Day On Which She Receives The News Of His Death

3529- It is narrated on the authority of Al-Furai'ah Bint Malik, the sister of Abu Sa'id Al-Khudri that she said: My husband died at Qadum, and I came to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of him that our house was very far (from the habitation), thereupon he gave her concession (to leave it). A while later he invited her and said to her: "Stay in your house for four months and ten days, until the (term prescribed for such as whose husband dies in the) Book is fulfilled."

[63] The Muslim Woman Who Is Spending The Period Of Mourning Should Leave Ornament

3530- It is narrated on the authority of Humaid Ibn Nafi' that Zainab Bint Abu Salamah related to him the following three traditions:

Zainab Bint Abu Salamah said: I entered upon Umm Habibah, the wife of The Prophet "Allah's blessing and peace be upon him" when her father Abu Sufyan Ibn Harb died. Umm Habibah asked for perfume which contained yellow scent or other kind of scent, with which she first perfumed one of the girls, and then rubbed her cheeks and said: "By Allah, I am not in need of perfume, but I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "It is not lawful for a woman who believes in Allah and the Last Day to mourn for a dead person for more than three days except her husband for whom she should mourn for four months and ten days.""

3531- Zainab said: I entered upon Zainab Bint Jahsh when her brother died. She asked for perfume, some of which she used and said: "By Allah, I am not in need of perfume, but I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said from over the pulpit: "It is not lawful for a woman who believes in Allah and the last day to mourn for a dead person for more than three days except her husband, for whom she should mourn for four months and ten days.""

3532- Zainab said: I heard my mother Umm Salamah saying that a woman came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Allah's Apostle! The husband of my daughter died and she is suffering from an eye disease, can she apply kohl to her eye?" The Messenger of Allah "Allah's blessing and peace be upon him" replied: "No." He added: "(She should mourn for) just four months and ten days. In the Pre-Islamic Period of ignorance, a widow among you used to throw a globe of dung after a year had elapsed" (following her husband's death, to indicate

(62) ـ عِدَّةُ المُتَوَفَّى عنها زَوْجُها مِنْ يَوْمِ يَأْتِيهَا الخَبَرُ

3529 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ عَنْ سُفْيَانَ عَنْ سَعْدِ بْنِ إِسْحَاقَ قَالَ: حَدَّثَتْنِي زَيْنَبُ بِنْتُ كَعْبٍ قَالَتْ: حَدَّثَتْنِي فُرَيْعَةُ بِنْتُ مَالِكٍ أُخْتُ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَتْ: تُوُفِّيَ زَوْجِي بِالْقَدُومِ فَأَتَيْتُ النبيَّ ﷺ فَذَكَرْتُ لَهُ أَنَّ دَارَنَا شَاسِعَةٌ فَأَذِنَ لَهَا ثُمَّ دَعَاهَا فَقَالَ: **«امْكُثِي فِي بَيْتِكِ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً حَتَّى يَبْلُغَ الكِتَابُ أَجَلَهُ»**.

(63) ـ الزِّينَةُ للحَادَّةِ المُسْلِمَةِ دون اليَهُودِيَّةِ والنَّصْرَانِيَّةِ

3530 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لَهُ قَالَ: أَنْبَأَنَا ابْنُ الْقَاسِمِ عَنْ مَالِكٍ عَنْ عَبْدِ اللَّهِ بْنِ أَبِي بَكْرٍ عَنْ حُمَيْدِ بْنِ نَافِعٍ عَنْ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ أَنَّهَا أَخْبَرَتْهُ بِهٰذِهِ الأَحَادِيثِ الثَّلاَثَةِ قَالَتْ زَيْنَبُ: دَخَلْتُ عَلَى أُمِّ حَبِيبَةَ زَوْجِ النَّبِيِّ ﷺ حِينَ تُوُفِّيَ أَبُوهَا أَبُو سُفْيَانَ بْنُ حَرْبٍ فَدَعَتْ أُمُّ حَبِيبَةَ بِطِيبٍ فَدَهَنَتْ مِنْهُ جَارِيَةً ثُمَّ مَسَّتْ بِعَارِضَيْهَا ثُمَّ قَالَتْ: وَاللَّهِ مَا لِي بِالطِّيبِ مِنْ حَاجَةٍ غَيْرَ أَنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ يَحِلُّ لامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ تَحِدُّ عَلَى مَيِّتٍ فَوْقَ ثَلاَثِ لَيَالٍ إِلاَّ عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً»**.

3531 ـ قَالَتْ زَيْنَبُ: ثُمَّ دَخَلْتُ عَلَى زَيْنَبَ بِنْتِ جَحْشٍ حِينَ تُوُفِّيَ أَخُوهَا وَقَدْ دَعَتْ بِطِيبٍ وَمَسَّتْ مِنْهُ ثُمَّ قَالَتْ: وَاللَّهِ مَا لِي بِالطِّيبِ مِنْ حَاجَةٍ غَيْرَ أَنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ عَلَى الْمِنْبَرِ: **«لاَ يَحِلُّ لامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ تَحِدُّ عَلَى مَيِّتٍ فَوْقَ ثَلاَثِ لَيَالٍ إِلاَّ عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً»**.

3532 ـ وَقَالَتْ زَيْنَبُ: سَمِعْتُ أُمَّ سَلَمَةَ تَقُولُ: جَاءَتِ امْرَأَةٌ إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنَّ ابْنَتِي تُوُفِّيَ عَنْهَا زَوْجُهَا وَقَدِ اشْتَكَتْ عَيْنَهَا أَفَأَكْحُلُهَا فَقَالَ رَسُولُ اللَّهِ ﷺ: «لاَ» ثُمَّ قَالَ: **«إِنَّمَا هِيَ أَرْبَعَةُ أَشْهُرٍ وَعَشْراً وَقَدْ كَانَتْ إِحْدَاكُنَّ فِي الْجَاهِلِيَّةِ تَرْمِي بِالْبَعْرَةِ عِنْدَ رَأْسِ الْحَوْلِ»**.

that the one-year period of her mourning was over, and now that year has been reduced to only four months and ten days).

Humaid said: I asked Zainab: "What does "throwing a globe of dung after one year had elapsed" mean?" Zainab said: "When a lady was bereaved of her husband, she would live in a wretched small room, wear the worst clothes she had, and touch no perfume before one year had elapsed. Then she would bring an animal, e.g. a donkey, a sheep or a bird against which she would rub her body. The animal against which she would rub her body would hardly survive. Just at this time, she would come out of her room, whereupon she would be given a globe of dung, which she would throw away. Then she would use perfume or anything else she liked."

[64] Which Clothes Should Such As Is Spending The Period Of Mourning Avoid?

3533- It is narrated on the authority of Um Atiyyah that she said: The Prophet "Allah's blessing and peace be upon him" said: "It is not lawful for a (Muslim) lady to mourn for more than three days for a dead person, except for her husband, in which case she should mourn for four months and ten days, during which she should neither wear dyed clothes, nor a garment of Asb (special clothes made in Yemen), nor put kohl in her eyes, nor comb her head, nor perfume herself, except when she becomes clean from her menses whereupon she can use Qust, and Azfar (two kinds of incense)."

3534- It is narrated on the authority of Safiyyah Bint Shaibah from Umm Salamah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let such as whose husband dies wear no garment dyed with safflower, nor with red pigment, and let her apply no dye nor kohl."

[65] Such As Is Spending The Period Of Mourning Never Uses Dye

3535- It is narrated on the authority of Um Atiyyah that she said: The Prophet "Allah's blessing and peace be upon him" said: "It is not lawful for a lady who believes in Allah and the Last Day, to mourn for more than three days for a dead person, except for her husband (for whom she should mourn for four months and ten days), during which she should neither put kohl in her eyes, nor apply dye, nor wear dyed clothes.

[66] The Concession For Such As Is Spending The Period Of Mourning To Comb Her Head With The Help Of Sidr

3536- It is narrated on the authority of Umm Hakim Bint Usaid from her mother that her husband died, and she was suffering from an eye disease, for

قَالَ حُمَيْدٌ: فَقُلْتُ لِزَيْنَبَ: وَمَا تَرْمِي بِالْبَعْرَةِ عِنْدَ رَأْسِ الْحَوْلِ؟ قَالَتْ زَيْنَبُ: كَانَتِ الْمَرْأَةُ إِذَا تُوُفِّيَ عَنْهَا زَوْجُهَا دَخَلَتْ حِفْشاً وَلَبِسَتْ شَرَّ ثِيَابِهَا وَلَمْ تَمَسَّ طِيباً وَلاَ شَيْئاً حَتَّى تَمُرَّ بِهَا سَنَةٌ ثُمَّ تُؤْتَى بِدَابَّةٍ حِمَارٍ أَوْ شَاةٍ أَوْ طَيْرٍ فَتَفْتَضُّ بِهِ فَقَلَّمَا تَفْتَضُّ بِشَيْءٍ إِلاَّ مَاتَ ثُمَّ تَخْرُجُ فَتُعْطَى بَعْرَةً فَتَرْمِي بِهَا وَتُرَاجِعُ بَعْدُ مَا شَاءَتْ مِنْ طِيبٍ أَوْ غَيْرِهِ. قَالَ مَالِكٌ: تَفْتَضُّ تَمْسَحُ بِهِ فِي حَدِيثِ مُحَمَّدٍ قَالَ مَالِكٌ: الْحِفْشُ الْخُصُّ.

(64) ـ ما تَجْتَنِبُ الحَادَّةُ مِنَ الثِّيَابِ المُمَشَّقَةِ

3533 ـ أَخْبَرَنَا حُسَيْنُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا هِشَامٌ عَنْ حَفْصَةَ عَنْ أُمِّ عَطِيَّةَ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَحِدُّ امْرَأَةٌ عَلَى مَيِّتٍ فَوْقَ ثَلاَثٍ إِلاَّ عَلَى زَوْجٍ فَإِنَّهَا تَحِدُّ عَلَيْهِ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً وَلاَ تَلْبَسُ ثَوْباً مَصْبُوغاً وَلاَ ثَوْبَ عَصْبٍ وَلاَ تَكْتَحِلُ وَلاَ تَمْتَشِطُ وَلاَ تَمَسُّ طِيباً إِلاَّ عِنْدَ طُهْرِهَا حِينَ تَطْهُرُ نُبْذاً مِنْ قُسْطٍ وَأَظْفَارٍ»**.

3534 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي بُكَيْرٍ قَالَ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ طَهْمَانَ قَالَ: حَدَّثَنِي بُدَيْلٌ عَنِ الْحَسَنِ بْنِ مُسْلِمٍ عَنْ صَفِيَّةَ بِنْتِ شَيْبَةَ عَنْ أُمِّ سَلَمَةَ زَوْجِ النَّبِيِّ ﷺ عَنِ النَّبِيِّ ﷺ قَالَ: **«الْمُتَوَفَّى عَنْهَا زَوْجُهَا لاَ تَلْبَسُ الْمُعَصْفَرَ مِنَ الثِّيَابِ وَلاَ الْمُمَشَّقَةَ وَلاَ تَخْتَضِبُ وَلاَ تَكْتَحِلُ»**.

(65) ـ بابُ الخِضَابِ للحَادَّةِ

3535 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنَا عَاصِمٌ عَنْ حَفْصَةَ عَنْ أُمِّ عَطِيَّةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ يَحِلُّ لامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ أَنْ تَحِدَّ عَلَى مَيِّتٍ فَوْقَ ثَلاَثٍ إِلاَّ عَلَى زَوْجٍ وَلاَ تَكْتَحِلُ وَلاَ تَخْتَضِبُ وَلاَ تَلْبَسُ ثَوْباً مَصْبُوغاً»**.

(66) ـ بابُ الرُّخْصَةِ للحَادَّةِ أَنْ تَمْتَشِطَ بالسِّدْرِ

3536 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ قَالَ: حَدَّثَنَا ابْنُ وَهْبٍ قَالَ: أَخْبَرَنِي مَخْرَمَةُ عَنْ أَبِيهِ قَالَ: سَمِعْتُ الْمُغِيرَةَ بْنَ الضَّحَّاكِ يَقُولُ: حَدَّثَتْنِي أُمُّ حَكِيمٍ بِنْتُ أَسِيدٍ عَنْ أُمِّهَا: أَنَّ زَوْجَهَا تُوُفِّيَ وَكَانَتْ تَشْتَكِي عَيْنَهَا فَتَكْتَحِلُ الْجَلاَءَ فَأَرْسَلَتْ

which she used to apply the antimony. She sent a freed slave-girl belonging to her to Umm Salamah, to ask her about the antimony, who said: "Do not apply it (to your eyes) unless there is severe necessity, which you could not endure." She further said: "When Abu Salamah died and the Messenger of Allah "Allah's blessing and peace be upon him" came to visit me, and I was putting aloes on my eyes, he asked: "What is that Umm Salamah?" I said: "It is but aloes O Messenger of Allah, in which there is no perfume." He said: "Indeed, it beautifies the face. So, do not put it except at night, and you should wipe it (off your face) by day. On the other hand, do not comb your head with the help of perfume nor henna, for it is a kind of dye." I asked: "With the help of which should I comb my head O Messenger of Allah?" he said: "Use the infused leaves of lot-tree, therewith you might cover your head.""

[67] It Is Forbidden For Such As Is Spending The Period Of Mourning To Apply Kohl

3537- It is narrated on the authority of Zainab from Umm Salamah that a woman from the Quraish came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Allah's Apostle! My daughter is suffering from an eye disease, can she apply kohl to her eye?" however, her husband died. The Messenger of Allah "Allah's blessing and peace be upon him" replied: "No (let her mourn for) just four months and ten days." She said: "O Messenger of Allah! I fear for her sight!" he said: "No, (let her mourn for) just four months and ten days. In the Pre-Islamic Period of ignorance, a widow among you used to mourn for her husband for a whole year, and then she would throw a globe of dung after a year had elapsed" (following her husband's death, to indicate that the one-year period of her mourning was over, and now that year has been reduced to only four months and ten days).

3538- It is narrated on the authority of Zainab from Umm Salamah that a woman came to The Messenger of Allah "Allah's blessing and peace be upon him" and asked him about her daughter, whose husband died, and she was suffering (from eye disease). On that he said: "In the Pre-Islamic Period of ignorance, a widow among you used to mourn (for her husband) for a whole year, and then she would throw a globe of dung after a year had elapsed. (let her mourn for) just four months and ten days."

3539- It is narrated on the authority of Zainab from Umm Salamah that a woman from the Quraish came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "The husband of my daughter died, and I fear for her eyes, and she liked to put kohl." He said: "(In the Pre-Islamic

مَوْلاَةً لَهَا إِلَى أُمِّ سَلَمَةَ فَسَأَلَتْهَا عَنْ كُحْلِ الْجَلاَءِ فَقَالَتْ: لاَ تَكْتَحِلُ إِلاَّ مِنْ أَمْرٍ لاَ بُدَّ مِنْهُ دَخَلَ عَلَيَّ رَسُولُ ٱللَّهِ ﷺ حِينَ تُوُفِّيَ أَبُو سَلَمَةَ وَقَدْ جَعَلْتُ عَلَى عَيْنِي صَبِراً فَقَالَ: **«مَا هٰذَا يَا أُمَّ سَلَمَةَ؟»** قُلْتُ: إِنَّمَا هُوَ صَبِرٌ يَا رَسُولَ ٱللَّهِ لَيْسَ فِيهِ طِيبٌ قَالَ: **«إِنَّهُ يَشُبُّ الْوَجْهَ فَلاَ تَجْعَلِيهِ إِلاَّ بِاللَّيْلِ وَلاَ تَمْتَشِطِي بِالطِّيبِ وَلاَ بِالْحِنَّاءِ فَإِنَّهُ خِضَابٌ»** قُلْتُ: بِأَيِّ شَيْءٍ أَمْتَشِطُ يَا رَسُولَ ٱللَّهِ؟ قَالَ: **«بِالسِّدْرِ تُغَلِّفِينَ بِهِ رَأْسَكِ»**.

(67) ـ النَّهْيُ عَنِ الكُحْلِ للحَادَّةِ

3537 ـ أَخْبَرَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا شُعَيْبُ بْنُ اللَّيْثِ عَنْ أَبِيهِ قَالَ: حَدَّثَنَا أَيُّوبُ وَهُوَ ٱبْنُ مُوسَى قَالَ حُمَيْدٌ: وَحَدَّثَتْنِي زَيْنَبُ بِنْتُ أَبِي سَلَمَةَ عَنْ أُمِّهَا أُمِّ سَلَمَةَ قَالَتْ: جَاءَتِ ٱمْرَأَةٌ مِنْ قُرَيْشٍ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إِنَّ ٱبْنَتِي رَمِدَتْ أَفَأَكْحُلُهَا؟ وَكَانَتْ مُتَوَفًّى عَنْهَا فَقَالَ: **«لا، إِلَّا أَرْبَعَةَ أَشْهُرٍ وَعَشْراً»** ثُمَّ قَالَتْ: إِنِّي أَخَافُ عَلَى بَصَرِهَا فَقَالَ: **«لاَ، إِلاَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً قَدْ كَانَتْ إِحْدَاكُنَّ فِي الْجَاهِلِيَّةِ تَحِدُّ عَلَى زَوْجِهَا سَنَةً ثُمَّ تَرْمِي عَلَى رَأْسِ السَّنَةِ بِالْبَعْرَةِ»**.

3538 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ حُمَيْدِ بْنِ نَافِعٍ عَنْ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ عَنْ أُمِّهَا: أَنَّ ٱمْرَأَةً أَتَتِ النَّبِيَّ ﷺ فَسَأَلَتْهُ عَنِ ٱبْنَتِهَا مَاتَ زَوْجُهَا وَهِيَ تَشْتَكِي قَالَ: **«قَدْ كَانَتْ إِحْدَاكُنَّ تَحِدُّ السَّنَةَ ثُمَّ تَرْمِي الْبَعْرَةَ عَلَى رَأْسِ الْحَوْلِ وَإِنَّمَا هِيَ أَرْبَعَةُ أَشْهُرٍ وَعَشْراً»**.

3539 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْدَانَ بْنِ عِيسَى بْنِ مَعْدَانَ قَالَ: حَدَّثَنَا ٱبْنُ أَعْيَنَ قَالَ: حَدَّثَنَا زُهَيْرُ بْنُ مُعَاوِيَةَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ حُمَيْدِ بْنِ نَافِعٍ مَوْلَى الأَنْصَارِ عَنْ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ عَنْ أُمِّ سَلَمَةَ: أَنَّ ٱمْرَأَةً مِنْ قُرَيْشٍ جَاءَتْ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَتْ: إِنَّ ٱبْنَتِي تُوُفِّيَ عَنْهَا زَوْجُهَا وَقَدْ خِفْتُ عَلَى عَيْنِهَا وَهِيَ تُرِيدُ

Period of ignorance) a widow among you used to (mourn for her husband for a whole year, and then she would) throw a globe of dung at the end of the year. (let her mourn for) just four months and ten days." I (Humaid) said: I asked Zainab: "What is the significance of the end of the year?" Zainab said: "During the pre-Islamic period of ignorance, whenever the husband of any woman died, she would go to the worst house she had, in which she would stay until when a whole year had come upon her, she would come out and throw away a globe of dung behind her."

3540- It is narrated on the authority of Zainab Bint Abu Salamah that a woman asked both Umm Salamah and Umm Habibah: "Could a woman apply kohl to her eyes during the period of her Iddat prescribed for such as whose husband dies?" they said: A woman came to The Messenger of Allah "Allah's blessing and peace be upon him" and asked him about that, thereupon he said: "In the Pre-Islamic Period of ignorance a widow among you, whenever her husband died, used to stay (in mourning) for a whole year, after which she would throw a globe of dung behind her and set out. (let her mourn for) just four months and ten days until the period prescribed for such as whose husband dies is fulfilled."

[68] What About Using Qust And Azfar For Such As Is Spending The Period Of Mourning?

3541- It is narrated on the authority of Umm Atiyyah from The Messenger of Allah "Allah's blessing and peace be upon him" that he gave concession to such as whose husband dies (and she is spending the period of mourning) to apply both Qust and Azfar on getting clean from her menses (two kinds of incense).

[69] Abrogating Both Maintenance And Residence Of Such As Whose Husband Dies By Getting Her Portion From The Obligatory Inheritance

3542- It is narrated on the authority of Ibn Abbas that he said: As to the statement: "Those of you who die and leave widows should bequeath for their widows a year's maintenance and residence", it was abrogated with the Holy Statement of the inheritance, in which Allah Almighty has assigned for her an obligatory share of (one-fourth in case there is no offspring, or) one-eighth (in case there is offspring), as well as the one-year-maintenance-and-residence term was abrogated by that of four months and ten days (as shown in His saying: "If any of you die and leave widows behind, they shall wait concerning themselves four months and ten days ").

3543- It is narrated on the authority of Ikrimah that he told that (Allah's statement) "Those of you who die and leave widows should bequeath for

الْكُحْلَ فَقَالَ: «**قَدْ كَانَتْ إِحْدَاكُنَّ تَرْمِي بِالْبَعْرَةِ عَلَى رَأْسِ الْحَوْلِ وَإِنَّمَا هِيَ أَرْبَعَةُ أَشْهُرٍ وَعَشْراً**». فَقُلْتُ لِزَيْنَبَ: مَا رَأْسُ الْحَوْلِ؟ قَالَتْ: كَانَتِ الْمَرْأَةُ فِي الْجَاهِلِيَّةِ إِذَا هَلَكَ زَوْجُهَا عَمَدَتْ إِلَى شَرِّ بَيْتٍ لَهَا فَجَلَسَتْ فِيهِ حَتَّى إِذَا مَرَّتْ بِهَا سَنَةٌ خَرَجَتْ فَرَمَتْ وَرَاءَهَا بِبَعْرَةٍ.

3540 ـ أَخْبَرَنَا يَحْيَى بْنُ حَبِيبِ بْنِ عَرَبِيٍّ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ حُمَيْدِ بْنِ نَافِعٍ عَنْ زَيْنَبَ: أَنَّ ٱمْرَأَةً سَأَلَتْ أُمَّ سَلَمَةَ وَأُمَّ حَبِيبَةَ أَتَكْتَحِلُ فِي عِدَّتِهَا مِنْ وَفَاةِ زَوْجِهَا؟ فَقَالَتْ: أَتَتِ ٱمْرَأَةٌ إِلَى النَّبِيِّ ﷺ فَسَأَلَتْه عَنْ ذٰلِكَ فَقَالَ: «**قَدْ كَانَتْ إِحْدَاكُنَّ فِي الْجَاهِلِيَّةِ إِذَا تُوُفِّيَ عَنْهَا زَوْجُهَا أَقَامَتْ سَنَةً ثُمَّ قَذَفَتْ خَلْفَهَا بِبَعْرَةٍ ثُمَّ خَرَجَتْ وَإِنَّمَا هِيَ أَرْبَعَةُ أَشْهُرٍ وَعَشْراً حَتَّى يَنْقَضِيَ الأَجَلُ**».

(68) ـ القُسْطُ والأَظْفَارُ للحَادَّةِ

3541 ـ أَخْبَرَنَا الْعَبَّاسُ بْنُ مُحَمَّدٍ هُوَ الدُّورِيُّ قَالَ: حَدَّثَنَا الأَسْوَدُ بْنُ عَامِرٍ عَنْ زَائِدَةَ عَنْ هِشَامٍ عَنْ حَفْصَةَ عَنْ أُمِّ عَطِيَّةَ عَنِ النَّبِيِّ ﷺ: «أَنَّهُ رَخَّصَ لِلْمُتَوَفَّى عَنْهَا عِنْدَ طُهْرِهَا فِي الْقُسْطِ وَالأَظْفَارِ».

(69) ـ بابُ نَسْخِ مَتَاعِ المُتَوَفَّى عنها بما فُرِضَ لها مِنَ المِيرَاثِ

3542 ـ أَخْبَرَنَا زَكَرِيَّا بْنُ يَحْيَى السِّجْزِيُّ خَيَّاطُ السُّنَّةِ قَالَ: حَدَّثَنَا إِسْحَاقُ ابْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ الْحُسَيْنِ بْنِ وَاقِدٍ قَالَ: أَخْبَرَنِي أَبِي قَالَ: حَدَّثَنَا يَزِيدُ النَّحْوِيُّ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ فِي قَوْلِهِ: «﴿وَٱلَّذِينَ يُتَوَفَّوْنَ مِنكُمْ وَيَذَرُونَ أَزْوَٰجًا وَصِيَّةً لِّأَزْوَٰجِهِم مَّتَٰعًا إِلَى ٱلْحَوْلِ غَيْرَ إِخْرَاجٍ﴾ [البقرة، الآية: 240] نُسِخَ ذٰلِكَ بِآيَةِ الْمِيرَاثِ مِمَّا فُرِضَ لَهَا مِنَ الرُّبُعِ وَالثُّمُنِ وَنَسَخَ أَجَلَ الْحَوْلِ أَنْ جُعِلَ أَجَلُهَا أَرْبَعَةَ أَشْهُرٍ وَعَشْراً.

3543 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا أَبُو الأَحْوَصِ عَنْ سِمَاكٍ عَنْ عِكْرِمَةَ: فِي قَوْلِهِ عَزَّ وَجَلَّ: «﴿وَٱلَّذِينَ يُتَوَفَّوْنَ مِنكُمْ وَيَذَرُونَ أَزْوَٰجًا وَصِيَّةً لِّأَزْوَٰجِهِم مَّتَٰعًا

their widows a year's maintenance and residence" was abrogated by (Allah's statement): "If any of you die and leave widows behind, they shall wait concerning themselves four months and ten days."

[70] The Concession For Such As Irrevocably Divorced To Come Out Of Her Residence During The Period Of Her Iddat

3544- It is narrated on the authority of Fatimah Bint Qais that she was the wife of a man from Banu Makhzum, and he divorced her thrice, and set out for a certain battle and ordered his deputy to give her some maintenance, which she regarded as little. She went direct to one of the wives of The Messenger of Allah "Allah's blessing and peace be upon him". At the same time The Messenger of Allah "Allah's blessing and peace be upon him" came in while she was with her. She said to him: "O Messenger of Allah! This is Fatimah Bint Qais, whom so and so divorced (irrevocably), and sent some maintenance to her, which she refused, and he pretended that this (maintenance) was something he had given voluntarily." He (the Prophet) said: "He has told the truth." The Messenger of Allah "Allah's blessing and peace be upon him" further said: "Move to the house of Umm Kulthum, and spend in her house the period of your Iddat." But he said: "However, Umm Kulthum is a woman, whose visitors are more. So, move to the house of Abdullah Ibn Umm Maktum, for he is blind." She went to the house of Abdullah Ibn Umm Maktum, and spent the period of her Iddat there until when it was fulfilled, both Abu Al-Jahm and Mu'awiyah Ibn Abu Sufyan demanded her hand. She went to The Messenger of Allah "Allah's blessing and peace be upon him" and sought her verdict concerning them, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said to her: "As for Abu Al-Jahm I fear his moving the stick (therewith he beats women so much) for you; and as for Mu'awiyah, he is lacking in property." Later on, she got married to Usamah Ibn Zaid.

3545- It is narrated on the authority of Abu Salamah Ibn Abd Ar-Rahman Ibn Awf that Fatimah Bint Qais was the wife of Abu Amr Ibn Hafs Ibn Al-Mughirah Al-Makhzumi, who divorce her with the last and third pronouncement of divorce (i.e. divorced her irrevocably). She asserted that she went to The Messenger of Allah "Allah's blessing and peace be upon him", asking for his religious verdict regarding her coming out of her house. He (The Prophet) ordered her to move to the house of Ibn Umm Maktum, the blind (to spend there the period of her Iddat). Marwan (who was Medina's governor at that time) refused to believe in that narration of Fatimah Bint Qais as regards the coming out of the divorced woman from

إِلَى ٱلْحَوْلِ غَيْرَ إِخْرَاجٍ﴾ قَالَ: نَسَخَتْهَا ﴿وَٱلَّذِينَ يُتَوَفَّوْنَ مِنكُمْ وَيَذَرُونَ أَزْوَٰجًا يَتَرَبَّصْنَ بِأَنفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا﴾» [البقرة، الآية: 234].

(70) ـ الرُّخْصَةُ فِي خُرُوجِ الْمَبْتُوتَةِ مِنْ بَيْتِهَا فِي عِدَّتِهَا لِسُكْنَاهَا

3544 ـ أَخْبَرَنَا عَبْدُ الْحَمِيدِ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا مَخْلَدٌ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ عَنْ عَطَاءٍ قَالَ: أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ عَاصِمٍ: أَنَّ فَاطِمَةَ بِنْتَ قَيْسٍ أَخْبَرَتْهُ وَكَانَتْ عِنْدَ رَجُلٍ مِنْ بَنِي مَخْزُومٍ أَنَّهُ طَلَّقَهَا ثَلَاثًا وَخَرَجَ إِلَى بَعْضِ الْمَغَازِي وَأَمَرَ وَكِيلَهُ أَنْ يُعْطِيَهَا بَعْضَ النَّفَقَةِ فَتَقَالَّتْهَا فَانْطَلَقَتْ إِلَى بَعْضِ نِسَاءِ النَّبِيِّ ﷺ فَدَخَلَ رَسُولُ ٱللَّهِ ﷺ وَهِيَ عِنْدَهَا فَقَالَتْ: يَا رَسُولَ ٱللَّهِ هٰذِهِ فَاطِمَةُ بِنْتُ قَيْسٍ طَلَّقَهَا فُلَانٌ فَأَرْسَلَ إِلَيْهَا بِبَعْضِ النَّفَقَةِ فَرَدَّتْهَا وَزَعَمَ أَنَّهُ شَيْءٌ تَطَوَّلَ بِهِ قَالَ: صَدَقَ. قَالَ النَّبِيُّ ﷺ: «**فَانْتَقِلِي إِلَى أُمِّ كُلْثُومٍ فَاعْتَدِّي عِنْدَهَا**» ثُمَّ قَالَ: «**إِنَّ أُمَّ كُلْثُومٍ ٱمْرَأَةٌ يَكْثُرُ عُوَّادُهَا فَانْتَقِلِي إِلَى عَبْدِ ٱللَّهِ ابْنِ أُمِّ مَكْتُومٍ فَإِنَّهُ أَعْمَى**» فَانْتَقَلَتْ إِلَى عَبْدِ ٱللَّهِ فَاعْتَدَّتْ عِنْدَهُ حَتَّى ٱنْقَضَتْ عِدَّتُهَا ثُمَّ خَطَبَهَا أَبُو الْجَهْمِ وَمُعَاوِيَةُ بْنُ أَبِي سُفْيَانَ فَجَاءَتْ رَسُولَ ٱللَّهِ ﷺ تَسْتَأْمِرُهُ فِيهِمَا فَقَالَ: «**أَمَّا أَبُو الْجَهْمِ فَرَجُلٌ أَخَافُ عَلَيْكِ قِسْقَاسَتَهُ لِلْعَصَا وَأَمَّا مُعَاوِيَةُ فَرَجُلٌ أَمْلَقُ مِنَ الْمَالِ**». فَتَزَوَّجَتْ أُسَامَةَ بْنَ زَيْدٍ بَعْدَ ذٰلِكَ.

3545 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا حُجَيْنُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ عُقَيْلٍ عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ: أَنَّهَا أَخْبَرَتْهُ أَنَّهَا كَانَتْ تَحْتَ أَبِي عَمْرِو بْنِ حَفْصِ بْنِ الْمُغِيرَةِ فَطَلَّقَهَا آخِرَ ثَلَاثِ تَطْلِيقَاتٍ فَزَعَمَتْ فَاطِمَةُ أَنَّهَا جَاءَتْ رَسُولَ ٱللَّهِ ﷺ فَٱسْتَفْتَتْهُ فِي خُرُوجِهَا مِنْ بَيْتِهَا فَأَمَرَهَا أَنْ تَنْتَقِلَ إِلَى ٱبْنِ أُمِّ مَكْتُومٍ الأَعْمَى فَأَبَى مَرْوَانُ أَنْ يُصَدِّقَ فَاطِمَةَ فِي خُرُوجِ الْمُطَلَّقَةِ مِنْ بَيْتِهَا.

her house (before finishing the prescribed period of her Iddat). Urwah said that A'ishah also denied that (statement) of Fatimah Bint Qais.

3546- It is narrated on the authority of Fatimah Bint Qais that she said: I said: "O Messenger of Allah! My husband divorced me thrice (i.e. irrevocably), and I fear my house might be intruded (by thieves and robbers since it is very far from the habitation)." He ordered me (to leave it) and I left it (accordingly for the house of Ibn Umm Maktum).

3547- It is narrated on the authority of Ash-Sha'bi that he said: I visited Fatimah Bint Qais, and asked her about the judgement of The Messenger of Allah "Allah's blessing and peace be upon him" upon her, thereupon she told that her husband divorced her irrevocably, and she appealed to The Messenger of Allah "Allah's blessing and peace be upon him" to judge between them concerning the matter of maintenance and residence, and he judged that neither residence nor maintenance be due to me, and rather he ordered me to spend the period of my Iddat in the house of Ibn Umm Maktum (the blind).

3548- It is narrated on the authority of Ash-Sha'bi from Fatimah Bint Qais that she said: My husband divorced me irrevocably, and I liked to move (from the house), and so I went direct to The Messenger of Allah "Allah's blessing and peace be upon him" (and asked him about that), thereupon he said: "Move to the house of your paternal cousin Amr Ibn Umm Maktum and spend the period of your Iddat there." Al-Aswad threw him (Ash-Sha'bi) with pebbles and said to him: "Woe to you! How do you give such religious verdict? (Do you not know that) Umar said to her: "If you bring two witnesses, to bear witness that they had heard that from The Messenger of Allah "Allah's blessing and peace be upon him" (we might adopt it), otherwise, we are not to leave Allah's Book just for the statement of a woman." (Allah Almighty says): " and turn them not out of their houses, nor shall they (themselves) leave, except in case they are guilty of some open lewdness." (At-Talaq 1)

[71] Such As Whose Husband Dies And She Is Spending The Period Of Her Iddat Comes Out Of The House During The Day

3549- It is narrated on the authority of Jabir that his maternal aunt was divorced, and she wanted to come out to her date-palms (during the period o f her Iddat), and she met a man (on the way) who forbade her. She went to The Messenger of Allah "Allah's blessing and peace be upon him" who said to her: "Come out and pluck the fruits of your date-palms, perchance you might give in charity and do favour."

قَالَ عُرْوَةُ: أَنْكَرَتْ عَائِشَةُ ذٰلِكَ عَلَى فَاطِمَةَ.

3546 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا حَفْصٌ قَالَ: حَدَّثَنَا هِشَامٌ عَنْ أَبِيهِ عَنْ فَاطِمَةَ قَالَتْ: قُلْتُ: يَا رَسُولَ ٱللَّهِ زَوْجِي طَلَّقَنِي ثَلاَثاً وَأَخَافُ أَنْ يُقْتَحَمَ عَلَيَّ فَأَمَرَهَا فَتَحَوَّلَتْ.

3547 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ مَاهَانَ بَصْرِيٌّ عَنْ هُشَيْمٍ قَالَ: حَدَّثَنَا سَيَّارٌ وَحُصَيْنٌ وَمُغِيرَةُ وَدَاوُدُ بْنُ أَبِي هِنْدٍ وَإِسْمَاعِيلُ بْنُ أَبِي خَالِدٍ وَذَكَرَ آخَرِينَ عَنِ الشَّعْبِيِّ قَالَ: دَخَلْتُ عَلَى فَاطِمَةَ بِنْتِ قَيْسٍ فَسَأَلْتُهَا عَنْ قَضَاءِ رَسُولِ ٱللَّهِ ﷺ فَقَالَتْ: طَلَّقَهَا زَوْجُهَا أَلْبَتَّةَ فَخَاصَمَتْهُ إِلَى رَسُولِ ٱللَّهِ ﷺ فِي السُّكْنَى وَالنَّفَقَةِ قَالَتْ: فَلَمْ يَجْعَلْ لِي سُكْنَى وَلاَ نَفَقَةً وَأَمَرَنِي أَنْ أَعْتَدَّ فِي بَيْتِ ٱبْنِ أُمِّ مَكْتُومٍ.

3548 ـ أَخْبَرَنِي أَبُو بَكْرِ بْنُ إِسْحَاقَ الصَّاغَانِيُّ قَالَ: حَدَّثَنَا أَبُو الْجَوَّابِ قَالَ: حَدَّثَنَا عَمَّارٌ هُوَ ٱبْنُ رُزَيْقٍ عَنْ أَبِي إِسْحَاقَ عَنِ الشَّعْبِيِّ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ قَالَتْ: طَلَّقَنِي زَوْجِي فَأَرَدْتُ النُّقْلَةَ فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقَالَ: «**ٱنْتَقِلِي إِلَى بَيْتِ ٱبْنِ عَمِّكِ عَمْرِو ابْنِ أُمِّ مَكْتُومٍ فَٱعْتَدِّي فِيهِ**» فَحَصَبَهُ الأَسْوَدُ وَقَالَ: وَيْلَكَ لِمَ تُفْتِي بِمِثْلِ هٰذَا؟ قَالَ عُمَرُ: إِنْ جِئْتَ بِشَاهِدَيْنِ يَشْهَدَانِ أَنَّهُمَا سَمِعَاهُ مِنْ رَسُولِ ٱللَّهِ ﷺ وَإِلاَّ لَمْ نَتْرُكْ كِتَابَ ٱللَّهِ لِقَوْلِ امْرَأَةٍ: ﴿لَا تُخْرِجُوهُنَّ مِنۢ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّآ أَن يَأْتِينَ بِفَٰحِشَةٍ مُّبَيِّنَةٍ﴾ [الطلاق: 1].

(71) ـ بابُ خُرُوجِ المُتَوَفَّى عنها بالنَّهار

3549 ـ أَخْبَرَنَا عَبْدُ الْحَمِيدِ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا مَخْلَدٌ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: طُلِّقَتْ خَالَتُهُ فَأَرَادَتْ أَنْ تَخْرُجَ إِلَى نَخْلٍ لَهَا فَلَقِيَتْ رَجُلاً فَنَهَاهَا فَجَاءَتْ رَسُولَ ٱللَّهِ ﷺ فَقَالَ: «**ٱخْرُجِي فَجُدِّي نَخْلَكِ لَعَلَّكِ أَنْ تَصَدَّقِي وَتَفْعَلِي مَعْرُوفاً**».

[72] The Maintenance Of Such As Irretrievably Divorced

3550- It is narrated on the authority of Abu Bakr Ibn Abu Al-Jahm that he said: I and Abu Salamah visited Fatimah Bint Qais, and she said: My husband divorced me, and fixed neither residence nor maintenance for me, and rather deposited ten Sa's with a paternal cousin of him, five of parley and five of dates. I soon went to The Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, thereupon he said: "He has told the truth." He ordered me to spend the period of my Iddat in the house of so and so. Her husband divorced her irretrievably.

[73] The Maintenance Of The Pregnant Whose Divorce Is Final

3551- It is narrated on the authority of Ubaidullah Ibn Abdullah Ibn Utbah that Abdullah Ibn Amr Ibn Uthman irrevocably divorced the daughter of Sa'id Ibn Zaid, whose mother was Hamnah Bint Qais, thereupon her maternal aunt Fatimah Bint Qais ordered her to leave the house of Abdullah Ibn Amr. Marwan (who was at that time the governor of Medina) heard of that, and he sent to her with the order to return to her house until the term of her Iddat would be fulfilled. She sent to him with the message that her maternal aunt Fatimah Bint Qais gave her such religious verdict, and told her that The Messenger of Allah "Allah's blessing and peace be upon him" gave her the religious verdict to leave the house when Abu Amr Ibn Hafs Al-Makhzumi divorced her (irrevocably). Marwan sent to her Qabisah Ibn Dhu'aib to ask her about that, and she told that she was the wife of Abu Amr Ibn Hafs Ibn Al-Mughirah. When The Messenger of Allah "Allah's blessing and peace be upon him" appointed Ali Ibn Abu Talib as the governor of Yemen, he set out with him and he sent to her (a message in which he pronounced the third and) last divorce which remained for her, and ordered that Al-Harith Ibn Hisham and Ayyash Ibn Abu Rabie'ah to give her maintenance. She sent to both Al-Harith and Ayyash to ask them about the maintenance which her husband ordered them to give her, and They said (to her): "By Allah! She has no (right of) maintenance (on us), unless she is pregnant, nor has she the right to live in our residence unless it is with our permission." She went to The Prophet "Allah's blessing and peace be upon him" and mentioned to him their statement which he confirmed. She asked: "Where would I move O Messenger of Allah?" he said: "To (the house of) Ibn Umm Maktum." However, he was the blind one, in connection with whom Allah Almighty blamed His Messenger in His Book. I moved to his house, in whose house, I was able to put off my garment (without seeing me). (When the period of her Iddat was over) The Prophet "Allah's blessing and peace be upon him" gave her in marriage to Usamah Ibn Zaid.

(72) ـ بابُ نَفَقَةِ البَائِنَةِ

3550 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْحَكَمِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي بَكْرِ بْنِ حَفْصٍ قَالَ: دَخَلْتُ أَنَا وَأَبُو سَلَمَةَ عَلَى فَاطِمَةَ بِنْتِ قَيْسٍ قَالَتْ: طَلَّقَنِي زَوْجِي فَلَمْ يَجْعَلْ لِي سُكْنَى وَلاَ نَفَقَةً قَالَتْ: فَوَضَعَ لِي عَشْرَةَ أَقْفِزَةٍ عِنْدَ ٱبْنِ عَمٍّ لَهُ خَمْسَةٌ شَعِيرٌ وَخَمْسَةٌ تَمْرٌ فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقُلْتُ لَهُ ذٰلِكَ فَقَالَ: «صَدَقَ» وَأَمَرَنِي أَنْ أَعْتَدَّ فِي بَيْتِ فُلاَنٍ وَكَانَ زَوْجُهَا طَلَّقَهَا طَلاَقاً بَائِناً.

(73) ـ نَفَقَةُ الحَامِلِ المَبْتُوتَةِ

3551 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرِ بْنِ دِينَارٍ قَالَ: حَدَّثَنَا أَبِي عَنْ شُعَيْبٍ قَالَ: قَالَ الزُّهْرِيُّ: أَخْبَرَنِي عُبَيْدُ ٱللَّهِ بْنُ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ: أَنَّ عَبْدَ ٱللَّهِ بْنَ عَمْرِو بْنِ عُثْمَانَ طَلَّقَ ٱبْنَةَ سَعِيدِ بْنِ زَيْدٍ وَأُمُّهَا حَمْنَةُ بِنْتُ قَيْسٍ الْبَتَّةَ فَأَمَرَتْهَا خَالَتُهَا فَاطِمَةُ بِنْتُ قَيْسٍ بِالانْتِقَالِ مِنْ بَيْتِ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو وَسَمِعَ بِذٰلِكَ مَرْوَانُ فَأَرْسَلَ إِلَيْهَا فَأَمَرَهَا أَنْ تَرْجِعَ إِلَى مَسْكَنِهَا حَتَّى تَنْقَضِيَ عِدَّتُهَا فَأَرْسَلَتْ إِلَيْهِ تُخْبِرُهُ أَنَّ خَالَتَهَا فَاطِمَةَ أَفْتَتْهَا بِذٰلِكَ وَأَخْبَرَتْهَا أَنَّ رَسُولَ ٱللَّهِ ﷺ أَفْتَاهَا بِالانْتِقَالِ حِينَ طَلَّقَهَا أَبُو عَمْرِو بْنِ حَفْصٍ الْمَخْزُومِيُّ فَأَرْسَلَ مَرْوَانُ قَبِيصَةَ بْنَ ذُؤَيْبٍ إِلَى فَاطِمَةَ فَسَأَلَهَا عَنْ ذٰلِكَ فَزَعَمَتْ أَنَّهَا كَانَتْ تَحْتَ أَبِي عَمْرٍو لَمَّا أَمَّرَ رَسُولُ ٱللَّهِ ﷺ عَلِيَّ بْنَ أَبِي طَالِبٍ عَلَى الْيَمَنِ خَرَجَ مَعَهُ فَأَرْسَلَ إِلَيْهَا بِتَطْلِيقَةٍ وَهِيَ بَقِيَّةُ طَلاَقِهَا فَأَمَرَ لَهَا الْحَارِثَ بْنَ هِشَامٍ وَعَيَّاشَ بْنَ أَبِي رَبِيعَةَ بِنَفَقَتِهَا فَأَرْسَلَتْ إِلَى الْحَارِثِ وَعَيَّاشٍ تَسْأَلُهُمَا النَّفَقَةَ الَّتِي أَمَرَ لَهَا بِهَا زَوْجُهَا فَقَالاَ: وَٱللَّهِ مَا لَهَا عَلَيْنَا نَفَقَةٌ إِلاَّ أَنْ تَكُونَ حَامِلاً وَمَا لَهَا أَنْ تَسْكُنَ فِي مَسْكَنِنَا إِلاَّ بِإِذْنِنَا فَزَعَمَتْ فَاطِمَةُ أَنَّهَا أَتَتْ رَسُولَ ٱللَّهِ ﷺ فَذَكَرَتْ ذٰلِكَ لَهُ فَصَدَّقَهُمَا قَالَتْ: فَقُلْتُ: أَيْنَ أَنْتَقِلُ يَا رَسُولَ ٱللَّهِ؟ فَقَالَ: «ٱنْتَقِلِي عِنْدَ ٱبْنِ أُمِّ مَكْتُومٍ». وَهُوَ الأَعْمَى الَّذِي عَاتَبَهُ ٱللَّهُ عَزَّ وَجَلَّ فِي كِتَابِهِ فَٱنْتَقَلْتُ عِنْدَهُ فَكُنْتُ أَضَعُ ثِيَابِي عِنْدَهُ حَتَّى أَنْكَحَهَا رَسُولُ ٱللَّهِ ﷺ زَعَمَتْ أُسَامَةَ بْنَ زَيْدٍ.

[74] The Monthly Periods

3552- It is narrated on the authority of Urwah Ibn Az-Zubair that Fatimah Bint Abu Hubaish told him that she came to The Prophet "Allah's blessing and peace be upon him" and complained to him how she suffered a persistent bleeding (from the uterus according to which she would not become clean). Allah's Apostle "Allah's blessing and peace be upon him" replied: "It is just from a blood vessel (and not the menses). So when your real menses begins give up your prayers (and calculate the days a normal menses lasts) and when it finishes wash off the blood (by taking a bath) and offer your prayers in the period between one menses and another."

[75] The Abrogation Of Bringing Back One's Wife After The Three Pronouncements Of Divorce

3553- It is narrated on the authority of Ibn Abbas, concerning Allah's saying: " None of our revelations do We abrogate or cause to be forgotten, but We substitute something better or similar: Do you not know that Allah has power over all things?" (Al-Baqarah 106) and: " When We substitute one revelation for another, - and Allah knows best what He reveals (in stages)." (An-Nahl 101) and: " Allah does blot out or confirm what He pleases: with Him is the Mother of the Book." (Ar-Ra'd 39) he said: The Qiblah was the first to be abrogated as shown in the Qur'an (for at first it was towards the direction of Jerusalem, and then it was turned to the Sacred House of the Ka'bah). Allah Almighty says: "Divorced women shall wait concerning themselves for three monthly periods. Nor is it lawful for them to hide what Allah has created in their wombs, if they have faith in Allah and the Last Day. And their husbands have the better right to take them back in that period, if they wish for reconciliation." (Al-Baqarah 228) it was the habit that if a man divorced his wife, he had the right to remarry her even though he divorced her thrice. But this was abrogated by Allah's saying: " A divorce is only permissible twice: after that, the parties should either hold together on equitable terms, or separate with kindness." (Al-Baqarah 229)

[76] Bringing Back One's Wife

3554- it is narrated on the authority of Ibn Umar that he said: Abdullah Ibn Umar divorced his wife once, while she was menstruating. Then, Umar went to the Messenger of Allah "Allah's blessing and peace be upon him" and asked for his verdict, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Tell him to take her back (and keep her) until she is clean and then divorce her if he so likes (before approaching her)." I (Yunus) asked: "Was it counted (as valid one divorce)?" he (Ibn

(74) ـ الأَقْرَاءُ

3552 ـ أَخْبَرَنَا عَمْرُو بنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ يُوسُفَ قَالَ: حَدَّثَنَا اللَّيْثُ قَالَ: حَدَّثَنِي يَزِيدُ بْنُ أَبِي حَبِيبٍ عَنْ بُكَيْرٍ عَنْ عَبْدِ ٱللَّهِ بْنِ الأَشَجِّ عَنِ الْمُنْذِرِ بْنِ الْمُغِيرَةِ عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ: أَنَّ فَاطِمَةَ ٱبْنَةَ أَبِي حُبَيْشٍ حَدَّثَتْهُ أَنَّهَا أَتَتْ رَسُولَ ٱللَّهِ ﷺ فَشَكَتْ إِلَيْهِ الدَّمَ فَقَالَ لَهَا رَسُولُ ٱللَّهِ ﷺ: **«إِنَّمَا ذٰلِكَ عِرْقٌ فَٱنْظُرِي إِذَا أَتَاكِ قَرْؤُكِ فَلَا تُصَلِّي فَإِذَا مَرَّ قَرْؤُكِ فَلْتَطْهُرِي»** قَالَ: **«ثُمَّ صَلِّي مَا بَيْنَ الْقَرْءِ إِلَى الْقَرْءِ»**.

(75) ـ بَابُ نَسْخِ الْمُرَاجَعَةِ بَعْدَ التَّطْلِيقَاتِ الثَّلَاثِ

3553 ـ حَدَّثَنَا زَكَرِيَّا بْنُ يَحْيَى قَالَ: حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ الْحُسَيْنِ بْنِ وَاقِدٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنَا يَزِيدُ النَّحْوِيُّ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ فِي قَوْلِهِ: ﴿۞ مَا نَنسَخْ مِنْ ءَايَةٍ أَوْ نُنسِهَا نَأْتِ بِخَيْرٍ مِّنْهَآ أَوْ مِثْلِهَآ﴾ [البقرة، الآية: 106] وَقَالَ: ﴿وَإِذَا بَدَّلْنَآ ءَايَةً مَّكَانَ ءَايَةٍ وَٱللَّهُ أَعْلَمُ بِمَا يُنَزِّلُ﴾. [النحل، الآية: 101] الآيَةَ وَقَالَ: ﴿يَمْحُواْ ٱللَّهُ مَا يَشَآءُ وَيُثْبِتُ وَعِندَهُۥٓ أُمُّ ٱلْكِتَٰبِ﴾ [الرعد، الآية: 39] فَأَوَّلُ مَا نُسِخَ مِنَ الْقُرْآنِ الْقِبْلَةُ وَقَالَ: ﴿وَٱلْمُطَلَّقَٰتُ يَتَرَبَّصْنَ بِأَنفُسِهِنَّ ثَلَٰثَةَ قُرُوٓءٍ وَلَا يَحِلُّ لَهُنَّ أَن يَكْتُمْنَ مَا خَلَقَ ٱللَّهُ فِيٓ أَرْحَامِهِنَّ﴾ إِلَى قَوْلِهِ ﴿إِنْ أَرَادُوٓاْ إِصْلَٰحًا﴾ [البقرة، الآية: 228] وَذٰلِكَ بِأَنَّ الرَّجُلَ كَانَ إِذَا طَلَّقَ ٱمْرَأَتَهُ فَهُوَ أَحَقُّ بِرَجْعَتِهَا وَإِنْ طَلَّقَهَا ثَلَاثاً فَنَسَخَ ذٰلِكَ وَقَالَ: ﴿ٱلطَّلَٰقُ مَرَّتَانِ فَإِمْسَاكٌۢ بِمَعْرُوفٍ أَوْ تَسْرِيحٌۢ بِإِحْسَٰنٍ﴾ [البقرة، الآية: 229].

(76) ـ بَابُ الرَّجْعَةِ

3554 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ قَالَ: سَمِعْتُ يُونُسَ بْنَ جُبَيْرٍ قَالَ: سَمِعْتُ ٱبْنَ عُمَرَ قَالَ: طَلَّقْتُ ٱمْرَأَتِي وَهِيَ حَائِضٌ فَأَتَى النَّبِيَّ ﷺ عُمَرُ فَذَكَرَ لَهُ ذٰلِكَ فَقَالَ النَّبِيُّ ﷺ: **«مُرْهُ أَنْ يُرَاجِعَهَا فَإِذَا طَهُرَتْ يَعْنِي**

Umar) said: "What would prevent it to be so? What would you think if someone became helpless (to take his wife back) and foolish?"

3555- It is narrated on the authority of Nafi' from Abdullah Ibn Umar that he had divorced his wife while she was menstruating. Umar Ibn Al-Khattab made a mention of that to Allah's Apostle "Allah's blessing and peace be upon him". Allah's Apostle "Allah's blessing and peace be upon him" said: "Order him to take her back (and keep her) till she gets her next period and when she becomes clean, let him divorce her if he so likes, or keep her if he so likes: that is the right way of divorce according to what Allah Almighty ordered when He said: " When you do divorce women, divorce them at their prescribed periods, and count (accurately) their prescribed periods." (At-Talaq 1)

3556- It is narrated on the authority of Nafi' that he said: whenever Ibn Umar was asked about such as divorced his wife while she was menstruating, he used to say: "If one divorced his wife once or twice, no doubt, Allah's Apostle "Allah's blessing and peace be upon him" ordered him to take her back, and keep her until she would get her next menses, and become clean from it and then he could divorce her before approaching her (if he so liked). But in case one divorced his wife thrice, no doubt, you've disobeyed Allah in what He Almighty ordered you concerning the divorce of your wife, and your wife then would depart from you irrevocably."

3557- It is narrated on the authority of Salim that Ibn Umar divorced his wife while she was menstruating, thereupon Allah's Apostle "Allah's blessing and peace be upon him" ordered him to take her back; and he did accordingly.

3558- it is narrated on the authority of Ibn Umar that he was asked about a man who divorced his wife while she was menstruating, and he said: "Do you know Abdullah Ibn Umar?" he (the asker) said: "Yes." He said: "Abdullah Ibn Umar divorced his wife while she was menstruating. Then, Umar went to the Messenger of Allah "Allah's blessing and peace be upon him" and asked for his verdict, thereupon he said: "Tell him to take her back (and keep her) until she is clean (from her menses)."

3559- It is narrated on the authority of Ibn Abbas from Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" divorced Hafsah (once) and then he took her back; and Allah knows better.

فَإِنْ شَاءَ فَلْيُطَلِّقْهَا» قُلْتُ لِابْنِ عُمَرَ: فَاحْتَسَبْتَ مِنْهَا؟ فَقَالَ: **«مَا يَمْنَعُهَا أَرَأَيْتَ إِنْ عَجَزَ وَٱسْتَحْمَقَ؟»**.

3555 ـ أَخْبَرَنَا بِشْرُ بْنُ خَالِدٍ قَالَ: أَنْبَأَنَا يَحْيَى بْنُ آدَمَ عَنِ ٱبْنِ إِدْرِيسَ عَنْ مُحَمَّدِ بنِ إِسْحَاقَ وَيَحْيَى بْنُ سَعِيدٍ وَعُبَيْدُ ٱللَّهِ بْنُ عُمَرَ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ. ح. وَأَخْبَرَنَا زُهَيْرٌ وَمُوسَى بْنُ عُقْبَةَ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالُوا: إِنَّ ٱبْنَ عُمَرَ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَذَكَرَ عُمَرُ رَضِيَ ٱللَّهُ عَنْهُ لِلنَّبِيِّ ﷺ فَقَالَ: **«مُرْهُ فَلْيُرَاجِعْهَا حَتَّى تَحِيضَ حَيْضَةً أُخْرَى فَإِذَا طَهُرَتْ فَإِنْ شَاءَ طَلَّقَهَا وَإِنْ شَاءَ أَمْسَكَهَا فَإِنَّهُ الطَّلَاقُ الَّذِي أَمَرَ ٱللَّهُ عَزَّ وَجَلَّ بِهِ قَالَ تَعَالَى: ﴿فَطَلِّقُوهُنَّ لِعِدَّتِهِنَّ﴾»**.

3556 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا إِسْمَاعِيلُ عَنْ أَيُّوبَ عَنْ نَافِعٍ قَالَ: كَانَ ٱبْنُ عُمَرَ إِذَا سُئِلَ عَنِ الرَّجُلِ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَيَقُولُ: أَمَّا إِنْ طَلَّقَهَا وَاحِدَةً أَوِ ٱثْنَتَيْنِ فَإِنَّ رَسُولَ ٱللَّهِ ﷺ أَمَرَهُ أَنْ يُرَاجِعَهَا ثُمَّ يُمْسِكَهَا حَتَّى تَحِيضَ حَيْضَةً أُخْرَى ثُمَّ تَطْهُرَ ثُمَّ يُطَلِّقَهَا قَبْلَ أَنْ يَمَسَّهَا وَأَمَّا إِنْ طَلَّقَهَا ثَلَاثاً فَقَدْ عَصَيْتَ ٱللَّهَ فِيمَا أَمَرَكَ بِهِ مِنْ طَلَاقِ ٱمْرَأَتِكَ وَبَانَتْ مِنْكَ ٱمْرَأَتُكَ.

3557 ـ أَخْبَرَنَا يُوسُفُ بْنُ عِيسَى مَرْوَزِيٌّ قَالَ: حَدَّثَنَا الْفَضْلُ بْنُ مُوسَى قَالَ: حَدَّثَنَا حَنْظَلَةُ عَنْ سَالِمٍ عَنِ ٱبْنِ عُمَرَ: أَنَّهُ طَلَّقَ ٱمْرَأَتَهُ وَهِيَ حَائِضٌ فَأَمَرَهُ رَسُولُ ٱللَّهِ ﷺ فَرَاجَعَهَا.

3558 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا أَبُو عَاصِمٍ قَالَ ٱبْنُ جُرَيْجٍ: أَخْبَرَنِيهِ ٱبْنُ طَاوُسٍ عَنْ أَبِيهِ: أَنَّهُ سَمِعَ عَبْدَ ٱللَّهِ بْنَ عُمَرَ يُسْأَلُ عَنْ رَجُلٍ طَلَّقَ ٱمْرَأَتَهُ حَائِضاً فَقَالَ: أَتَعْرِفُ عَبْدَ ٱللَّهِ بْنَ عُمَرَ؟ قَالَ: نَعَمْ قَالَ: فَإِنَّهُ طَلَّقَ ٱمْرَأَتَهُ حَائِضاً فَأَتَى عُمَرُ النَّبِيَّ ﷺ فَأَخْبَرَهُ الْخَبَرَ فَأَمَرَهُ أَنْ يُرَاجِعَهَا حَتَّى تَطْهُرَ وَلَمْ أَسْمَعْهُ يَزِيدُ عَلَى هٰذَا.

3559 ـ أَخْبَرَنَا عَبْدَةُ بْنُ عَبْدِ ٱللَّهِ قَالَ: أَنْبَأَنَا يَحْيَى بْنُ آدَمَ ح. وَأَنْبَأَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سَهْلُ بْنُ مُحَمَّدٍ أَبُو سَعِيدٍ قَالَ: نُبِّئْتُ عَنْ يَحْيَى بْنِ زَكَرِيَّا عَنْ صَالِحِ بْنِ صَالِحٍ عَنْ سَلَمَةَ بْنِ كُهَيْلٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ عَنِ ٱبْنِ عُمَرَ أَنَّ النَّبِيَّ ﷺ. وَقَالَ عَمْرٌو: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ طَلَّقَ حَفْصَةَ ثُمَّ رَاجَعَهَا وَٱللَّهُ أَعْلَمُ.

(28) THE BOOK OF HORSES

[1]

3560- It is narrated on the authority of Salamah Ibn Nufail Al-Kindi that he said: I was sitting with the Messenger of Allah "Allah's blessing and peace be upon him" when a man said: "O Messenger of Allah! The people underestimated horses, and put down the weapons and said: "There is no Jihad (fight in Allah's Cause) since war laid down its burdens (and came to its end)." the Messenger of Allah "Allah's blessing and peace be upon him" faced them and said: "They've told a lie. Now! Now! It is time for fight (in Allah's Cause). A group of my nation will remain fighting in truth, for whom Allah Almighty will cause the hearts of other nations to swerve (from the truth) for their sake (in order to fight them and) provide them with their sustenance from them, until the Hour (of Judgement) is established and Allah's Promise comes true. Of a surety, good is tied in the forelocks of horses to the Day of Judgement. I've been divinely revealed that I will die and I will never abide (in this world forever), and you are going to follow me, in the form of opposing groups, striking the necks of each other. To be sure, Sham will be the homeland of the faithful believers."

3561- It is narrated on the authority of Abu Hurairah: Allah's Apostle "Allah's blessing and peace be upon him" said: "Goodness is tied in the forelocks of horses to the Day of Judgement. (Keeping) horses is for three (purposes): they may be a source of reward to somebody, a shelter to another (as Means of earning one's living), or a burden to a third. He to whom they will be a source of reward is the one who keeps them in Allah's Cause and prepares them (for holy war) and they never get anything in their bellies but that a reward will be written for him in return for it and if he grazes them in a pasture, they never eat anything but that a reward will be written for him in return for it,, and if he waters them from a flowing river, then in return for every drop of water they get in their bellies a reward will be written for him (and he also made a mention of the reward their owner will receive in their urine and dung); and if they cover one or two hills, for every step they take, a reward will be written for him. As for him, to whom horses are a shelter from poverty it is him, who keeps them for earning his living so as not to ask others, and at the same time he does not forget the right due upon their backs and bellies, at both times of adversity and prosperity. As for him to whom they are (a cause of) burden it is that who keeps horses just out of arrogance, pride, luxury and to be seen of men: it is he, to whom they are (a cause of) sin."

(28) ـ كتابُ الخَيْلِ

(1) ـ [بَابٌ]

3560 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَبْدِ الْوَاحِدِ قَالَ: حَدَّثَنَا مَرْوَانُ وَهُوَ ٱبْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا خَالِدُ بْنُ يَزِيدَ بْنِ صَالِحِ بْنِ صَبِيحٍ الْمُرِّيُّ قَالَ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ أَبِي عَبْلَةَ عَنِ الْوَلِيدِ بْنِ عَبْدِ الرَّحْمٰنِ الْجُرَشِيِّ عَنْ جُبَيْرِ بْنِ نُفَيْرٍ عَنْ سَلَمَةَ بْنِ نُفَيْلٍ الْكِنْدِيِّ قَالَ: كُنْتُ جَالِساً عِنْدَ رَسُولِ ٱللَّهِ ﷺ فَقَالَ رَجُلٌ: يَا رَسُولَ ٱللَّهِ أَذَالَ النَّاسُ الْخَيْلَ وَوَضَعُوا السِّلاَحَ وَقَالُوا: لاَ جِهَادَ قَدْ وَضَعَتِ الْحَرْبُ أَوْزَارَهَا فَأَقْبَلَ رَسُولُ ٱللَّهِ ﷺ بِوَجْهِهِ وَقَالَ: «**كَذَبُوا، الآنَ الآنَ جَاءَ الْقِتَالُ وَلاَ يَزَالُ مِنْ أُمَّتِي أُمَّةٌ يُقَاتِلُونَ عَلَى الْحَقِّ وَيُزِيغُ ٱللَّهُ لَهُمْ قُلُوبَ أَقْوَامٍ وَيَرْزُقُهُمْ مِنْهُمْ حَتَّى تَقُومَ السَّاعَةُ وَحَتَّى يَأْتِيَ وَعْدُ ٱللَّهِ، وَالْخَيْلُ مَعْقُودٌ فِي نَوَاصِيهَا الْخَيْرُ إِلَى يَوْمِ الْقِيَامَةِ، وَهُوَ يُوحَى إِلَيَّ أَنِّي مَقْبُوضٌ غَيْرَ مُلَبَّثٍ وَأَنْتُمْ تَتَّبِعُونِي أَفْنَاداً يَضْرِبُ بَعْضُكُمْ رِقَابَ بَعْضٍ وعُقْرُ دَارِ الْمُؤْمِنِينَ الشَّامُ**».

3561 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى بْنِ الْحَارِثِ قَالَ: حَدَّثَنَا مَحْبُوبُ بْنُ مُوسَى قَالَ: حَدَّثَنَا أَبُو إِسْحَاقَ يَعْنِي الْفَزَارِيَّ عَنْ سُهَيْلِ بْنِ أَبِي صَالِحٍ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**الْخَيْلُ مَعْقُودٌ فِي نَوَاصِيهَا الْخَيْرُ إِلَى يَوْمِ الْقِيَامَةِ. الْخَيْلُ ثَلاَثَةٌ فَهِيَ لِرَجُلٍ أَجْرٌ وَهِيَ لِرَجُلٍ سَتْرٌ وَهِيَ عَلَى رَجُلٍ وِزْرٌ فَأَمَّا الَّذِي هِيَ لَهُ أَجْرٌ فَالَّذِي يَحْتَبِسُهَا فِي سَبِيلِ ٱللَّهِ فَيَتَّخِذُهَا لَهُ وَلاَ تُغَيِّبُ فِي بُطُونِهَا شَيْئاً إِلاَّ كُتِبَ لَهُ بِكُلِّ شَيْءٍ غَيَّبَتْ فِي بُطُونِهَا أَجْرٌ وَلَوْ عَرَضَتْ لَهُ مَرْجٌ**». وَسَاقَ الْحَدِيثَ.

3562- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Keeping horses may be a source of reward to somebody, a shelter to another (as Means of earning one's living), or a burden to a third. He to whom the horse will be a source of reward is the one who keeps it in Allah's Cause (by preparing it for holy war) and ties it by a long rope in a pasture (or a garden). He will get a reward equal to what its long rope allows it to eat in the pasture or the garden, and if that horse breaks its rope and crosses one or two hills, then all its footsteps and its dung will be counted as good deeds for its owner; and if it passes by a river and drinks from it, then that will also be regarded as a good deed for its owner even if he has had no intention of watering it then: in this way, it will be a (source of) reward for him. (Horses are a shelter from poverty to) such as ties them for earning his living so as not to ask others, and at the same time he does not forget to give Allah's right (by giving what is due upon) their necks, and (lending) their backs (for carriage and transportation): for this reason, they are a (cause of) covering for him. He who ties horses just out of pride and for showing off and as a means of harming Muslims, his horses will be (a source of) sins to him." When the Prophet "Allah's blessing and peace be upon him" was asked about donkeys, he replied: "Nothing was revealed to me regarding them in particular except the uniquely comprehensive verses: "Then shall anyone who has done an atom's weight of good, see it! And anyone who has done an atom's weight of evil, shall see it." (Az-Zalzalah 7:8)

[2] Loving Horses

3563- It is narrated on the authority of Anas that he said: Nothing was dearer to Allah's Apostle "Allah's blessing and peace be upon him" (in this world) after women than horses.

[3] Which Characteristics Of Horses Are Desirable

3564- It is narrated on the authority of Abu Wahb Al-Jushmi, and he was a companion of the Prophet, that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Name yourselves by the names of the Prophets, and the dearest names in the Sight of Allah Almighty are Abdullah (servant of Allah) and Abd Ar-Rahman (servant of (Allah) Most Gracious). Furthermore, tie (and keep) horses (in Allah's Cause), and wipe (dust and dirt off) their forelocks and thighs, and prepare them (for war in Allah's Way), and do not tie them with strings (to get ready for taking revenge as was the habit during the pre-Islamic period of ignorance); and I advise you to keep the horse of red complexion, white forehead, and white

3562 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لَهُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ زَيْدِ بْنِ أَسْلَمَ عَنْ أَبِي صَالِحٍ السَّمَّانِ عَنْ أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**الْخَيْلُ لِرَجُلٍ أَجْرٌ وَلِرَجُلٍ سَتْرٌ وَعَلَى رَجُلٍ وِزْرٌ فَأَمَّا الَّذِي هِيَ لَهُ أَجْرٌ فَرَجُلٌ رَبَطَهَا فِي سَبِيلِ ٱللَّهِ فَأَطَالَ لَهَا فِي مَرْجٍ أَوْ رَوْضَةٍ فَمَا أَصَابَتْ فِي طِيَلِهَا ذٰلِكَ فِي الْمَرْجِ أَوِ الرَّوْضَةِ كَانَ لَهُ حَسَنَاتٌ وَلَوْ أَنَّهَا قَطَعَتْ طِيَلَهَا ذٰلِكَ فَاسْتَنَّتْ شَرَفاً أَوْ شَرَفَيْنِ كَانَتْ آثَارُهَا**» وَفِي حَدِيثِ الْحَارِثِ «**وَأَرْوَاثُهَا حَسَنَاتٍ لَهُ وَلَوْ أَنَّهَا مَرَّتْ بِنَهَرٍ فَشَرِبَتْ مِنْهُ وَلَمْ يُرِدْ أَنْ تَسْقِيَ كَانَ ذٰلِكَ حَسَنَاتٍ فَهِيَ لَهُ أَجْرٌ وَرَجُلٌ رَبَطَهَا تَغَنِّياً وَتَعَفُّفاً وَلَمْ يَنْسَ حَقَّ ٱللَّهِ عَزَّ وَجَلَّ فِي رِقَابِهَا وَلاَ ظُهُورِهَا فَهِيَ لِذٰلِكَ سَتْرٌ وَرَجُلٌ رَبَطَهَا فَخْراً وَرِيَاءً وَنِوَاءً لأَهْلِ الإِسْلاَمِ فَهِيَ عَلَى ذٰلِكَ وِزْرٌ**» وَسُئِلَ النَّبِيُّ ﷺ عَنِ الْحَمِيرِ فَقَالَ: «**لَمْ يَنْزِلْ عَلَيَّ فِيهَا شَيْءٌ إِلاَّ هٰذِهِ الآيَةُ الْجَامِعَةُ الْفَاذَّةُ ﴿فَمَن يَعْمَلْ مِثْقَالَ ذَرَّةٍ خَيْرًا يَرَهُ ۝٧ وَمَن يَعْمَلْ مِثْقَالَ ذَرَّةٍ شَرًّا يَرَهُ ۝٨﴾**» [الزلزلة: 7-8].

(2) ـ بابُ حُبِّ الخَيْلِ

3563 ـ أَخْبَرَنِي أَحْمَدُ بْنُ حَفْصٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنِي إِبْرَاهِيمُ بْنُ طَهْمَانَ عَنْ سَعِيدِ بْنِ أَبِي عُرُوبَةَ عَنْ قَتَادَةَ عَنْ أَنَسٍ قَالَ: «لَمْ يَكُنْ شَيْءٌ أَحَبَّ إِلَى رَسُولِ ٱللَّهِ ﷺ بَعْدَ النِّسَاءِ مِنَ الْخَيْلِ».

(3) ـ ما يُسْتَحَبُّ مِنْ شِيَةِ الخَيْلِ

3564 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا أَبُو أَحْمَدَ الْبَزَّازُ هِشَامُ بْنُ سَعِيدٍ الطَّالَقَانِيُّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ مُهَاجِرٍ الأَنْصَارِيُّ عَنْ عَقِيلِ بْنِ شَبِيبٍ عَنْ أَبِي وَهْبٍ وَكَانَتْ لَهُ صُحْبَةٌ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**تَسَمَّوْا بِأَسْمَاءِ الأَنْبِيَاءِ وَأَحَبُّ الأَسْمَاءِ إِلَى ٱللَّهِ عَزَّ وَجَلَّ عَبْدُ ٱللَّهِ وَعَبْدُ الرَّحْمٰنِ وَٱرْتَبِطُوا الْخَيْلَ**

legs, or the horse of bold complexion, white forehead and legs, or the horse of very dark complexion, white forehead and legs."

[4] The Limb-Opposing Horses

3565- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" disliked the limb-opposing horses (which had whiteness in both the right leg and left arm, or in both the left leg and the right arm).

3566- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" used to dislike the limb-opposing horses. Abu Abd Ar-Rahman (the composer) says: It is to have whiteness in three legs and not in the fourth, or to have whiteness in one leg and not in the other three; and it applies only to the legs and not the hands.

[5] The Omen Of Horses

3567- It is narrated on the authority of Salim from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "(If there is) omen, it should be in three: the woman, the horse and the house."

3568- It is narrated on the authority of Abdullah Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "(If there is) omen, it should be in the house, the woman, and the horse."

3569- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If it (omen) is to be in anything, it should be in the house, the woman, and the horse."

[6] The Blessing Of Horses

3570- It is narrated on the authority of Anas Ibn Malik that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is blessing in the forelocks of horses."

[7] Twisting The Forelock Of A Horse

3571- It is narrated on the authority of Jarir Ibn Abdullah that he said: I saw The Messenger of Allah "Allah's blessing and peace be upon him" twisting the forelock of a horse with his fingers, saying: "Horses have goodness resulting from reward (for rearing them for Jihad) and spoils of war tied in their forelocks to the Day of Judgment."

3572- It is narrated on the authority of Ibn Umar that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Horses have goodness tied in their forelocks to the Day of Judgement."

وَٱمْسَحُوا بِنَوَاصِيهَا وَأَكْفَالَهَا وَقَلِّدُوهَا وَلاَ تُقَلِّدُوهَا الأَوْتَارَ وَعَلَيْكُمْ بِكُلِّ كُمَيْتٍ أَغَرَّ مُحَجَّلٍ أَوْ أَشْقَرَ أَغَرَّ مُحَجَّلٍ أَوْ أَدْهَمَ أَغَرَّ مُحَجَّلٍ».

(4) ـ الشِّكَالُ في الخَيْلِ

3565 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا شُعْبَةُ ح. وَأَنْبَأَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا بِشْرٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ عَنْ أَبِي زُرْعَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: «كَانَ النَّبِيُّ ﷺ يَكْرَهُ الشِّكَالَ مِنَ الْخَيْلِ». وَاللَّفْظُ لإِسْمَاعِيلَ.

3566 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي سَالِمُ بْنُ عَبْدِ الرَّحْمٰنِ عَنْ أَبِي زُرْعَةَ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ: «أَنَّهُ كَرِهَ الشِّكَالَ مِنَ الْخَيْلِ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: الشِّكَالُ مِنَ الْخَيْلِ أَنْ تَكُونَ ثَلاَثُ قَوَائِمَ مُحَجَّلَةً وَوَاحِدَةٌ مُطْلَقَةٌ أَوْ تَكُونَ الثَّلاَثَةُ مُطْلَقَةً وَرِجْلٌ مُحَجَّلَةٌ وَلَيْسَ يَكُونُ الشِّكَالُ إِلاَّ فِي رِجْلٍ وَلاَ يَكُونُ فِي الْيَدِ.

(5) ـ بابُ شُؤْمِ الخَيْلِ

3567 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ وَمُحَمَّدُ بْنُ مَنْصُورٍ وَاللَّفْظُ لَهُ قَالاَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ سَالِمٍ عَنْ أَبِيهِ عَنِ النَّبِيِّ ﷺ قَالَ: «الشُّؤْمُ فِي ثَلاَثَةِ الْمَرْأَةِ وَالْفَرَسِ وَالدَّارِ».

3568 ـ أَخْبَرَنِي هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مَعْنٌ قَالَ: حَدَّثَنَا مَالِكٌ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لَهُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنَا مَالِكٌ عَنِ ٱبْنِ شِهَابٍ عَنْ حَمْزَةَ وَسَالِمِ ٱبْنَيْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ عَنْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ رَضِيَ ٱللَّهُ عَنْهُمَا أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «الشُّؤْمُ فِي الدَّارِ وَالْمَرْأَةِ وَالْفَرَسِ».

3569 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «إِنْ يَكُ فِي شَيْءٍ فَفِي الرَّبْعَةِ وَالْمَرْأَةِ وَالْفَرَسِ».

(6) ـ بابُ بَرَكَةِ الخَيْلِ

3570 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا النَّضْرُ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي التَّيَّاحِ قَالَ: سَمِعْتُ أَنَساً ح. وَأَنْبَأَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: حَدَّثَنِي أَبُو التَّيَّاحِ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «الْبَرَكَةُ فِي نَوَاصِي الْخَيْلِ».

(7) ـ بابُ فَتْلِ نَاصِيَةِ الفَرَسِ

3571 ـ أَخْبَرَنَا عِمْرَانُ بْنُ مُوسَى قَالَ: حَدَّثَنَا عَبْدُ الْوَارِثِ قَالَ: حَدَّثَنَا يُونُسُ عَنْ عَمْرِو بْنِ سَعِيدٍ عَنْ أَبِي زُرْعَةَ بْنِ عَمْرِو بْنِ جَرِيرٍ عَنْ جَرِيرٍ قَالَ: رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ يَفْتِلُ نَاصِيَةَ فَرَسٍ بَيْنَ أُصْبُعَيْهِ وَيَقُولُ: «الْخَيْلُ مَعْقُودٌ فِي نَوَاصِيهَا الْخَيْرُ إِلَى يَوْمِ الْقِيَامَةِ الأَجْرُ وَالْغَنِيمَةُ».

3572 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: «الْخَيْلُ فِي نَوَاصِيهَا الْخَيْرُ إِلَى يَوْمِ الْقِيَامَةِ».

3573- It is narrated on the authority of Urwah Al-Bariqi that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Horses have goodness tied in their forelocks to the Day of Judgement."

3574- It is narrated on the authority of Urwah Ibn Abu Al-Ja'd that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Horses have goodness resulting from reward (for rearing them for Jihad) and spoils of war tied in their forelocks to the Day of Judgment."

3575- It is narrated on the authority of Urwah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Horses have goodness resulting from reward (for rearing them for Jihad) and spoils of war tied in their forelocks to the Day of Judgment."

3576- It is narrated on the authority of Urwah Ibn Abu Al-Ja'd from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "Horses have goodness resulting from reward (for rearing them for Jihad) and spoils of war tied in their forelocks to the Day of Judgment."

[8] One Should Train His Horse

3577- It is narrated on the authority of Khalid Ibn Yazid Al-Juhani that he said: Uqbah Ibn Amir used to come upon me, and say: "O Khalid! Let's come out to practice archery!" when it was one day, I delayed to come to him, thereupon he said to me: "O Khalid! Come to me, so that I would tell you of what the Messenger of Allah "Allah's blessing and peace be upon him" said." I came to him, and he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah admits three persons to the Garden with each single arrow: its maker, who expects good (and reward from Allah) with its making, its archer, and the provider of its shots. Practice archery and horsemanship, even though archery is dearer to me than horsemanship. Furthermore, only three (types of) amusement are permissible: to train one's horse, to play with one's wife, and to practice archery; and if one leaves archery after having being well-versed in it, out of refraining from it, has indeed left (or rejected) a blessing."

[9] The Supplication Pertaining To Horses

3578- It is narrated on the authority of Abu Dharr that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no Arab-born horse but that it is given permission to have two invocations a short while before dawn every night: 'O Allah! You've made me in possession of such of mankind as in whose possession You've made me, and subjugated me to him: make me the dearest of his household and property to him, or from amongst the dearest of his property and household to him."

3573 ـ حَدَّثَنَا مُحَمَّدُ بْنُ الْعَلاَءِ أَبُو كُرَيْبٍ قَالَ: حَدَّثَنَا ٱبْنُ إِدْرِيسَ عَنْ حُصَيْنٍ عَنْ عَامِرٍ عَنْ عُرْوَةَ الْبَارِقِيِّ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْخَيْلُ مَعْقُودٌ فِي نَوَاصِيهَا الْخَيْرُ إِلَى يَوْمِ الْقِيَامَةِ»**.

3574 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى وَمُحَمَّدُ بْنُ بَشَّارٍ قَالاَ: حَدَّثَنَا ٱبْنُ أَبِي عَدِيٍّ عَنْ شُعْبَةَ عَنْ حُصَيْنٍ عَنِ الشَّعْبِيِّ عَنْ عُرْوَةَ بْنِ أَبِي الْجَعْدِ أَنَّهُ سَمِعَ النَّبِيَّ ﷺ يَقُولُ: **«الْخَيْلُ مَعْقُودٌ فِي نَوَاصِيهَا الْخَيْرُ إِلَى يَوْمِ الْقِيَامَةِ الأَجْرُ وَالْمَغْنَمُ»**.

3575 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: أَنْبَأَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: أَنْبَأَنَا شُعْبَةُ عَنْ عَبْدِ ٱللَّهِ بْنِ أَبِي السَّفَرِ عَنِ الشَّعْبِيِّ عَنْ عُرْوَةَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«الْخَيْلُ مَعْقُودٌ فِي نَوَاصِيهَا الْخَيْرُ إِلَى يَوْمِ الْقِيَامَةِ الأَجْرُ وَالْمَغْنَمُ»**.

3576 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: أَنْبَأَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي حُصَيْنٌ وَعَبْدُ ٱللَّهِ بْنُ أَبِي السَّفَرِ أَنَّهُمَا سَمِعَا الشَّعْبِيَّ يُحَدِّثُ عَنْ عُرْوَةَ بْنِ أَبِي الْجَعْدِ عَنِ النَّبِيِّ ﷺ قَالَ: **«الْخَيْلُ مَعْقُودٌ فِي نَوَاصِيهَا الْخَيْرُ إِلَى يَوْمِ الْقِيَامَةِ الأَجْرُ وَالْمَغْنَمُ»**.

(8) ـ تَأْدِيبُ الرَّجُلِ فَرَسَهُ

3577 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ إِسْمَاعِيلَ بْنِ مُجَالِدٍ قَالَ: حَدَّثَنَا عِيسَى بْنُ يُونُسَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ بْنِ جَابِرٍ قَالَ: حَدَّثَنِي أَبُو سَلاَّمٍ الدِّمَشْقِيُّ عَنْ خَالِدِ بْنِ يَزِيدَ الْجُهَنِيِّ قَالَ: كَانَ عُقْبَةُ بْنُ عَامِرٍ يَمُرُّ بِي فَيَقُولُ: يَا خَالِدُ أَخْرُجْ بِنَا نَرْمِي فَلَمَّا كَانَ ذَاتَ يَوْمٍ أَبْطَأْتُ عَنْهُ فَقَالَ: يَا خَالِدُ تَعَالَ أُخْبِرْكَ بِمَا قَالَ رَسُولُ ٱللَّهِ ﷺ فَأَتَيْتُهُ فَقَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنَّ ٱللَّهَ يُدْخِلُ بِالسَّهْمِ الْوَاحِدِ ثَلاَثَةَ نَفَرٍ الْجَنَّةَ صَانِعَهُ يَحْتَسِبُ فِي صُنْعِهِ الْخَيْرَ وَالرَّامِي بِهِ وَمُنْبِّلَهُ وَٱرْمُوا وَٱرْكَبُوا وَأَنْ تَرْمُوا أَحَبُّ إِلَيَّ مِنْ أَنْ تَرْكَبُوا وَلَيْسَ اللَّهْوُ إِلاَّ فِي ثَلاَثَةٍ تَأْدِيبِ الرَّجُلِ فَرَسَهُ وَمُلاَعَبَتِهِ ٱمْرَأَتَهُ وَرَمْيِهِ بِقَوْسِهِ وَنَبْلِهِ وَمَنْ تَرَكَ الرَّمْيَ بَعْدَ مَا عَلِمَهُ رَغْبَةً عَنْهُ فَإِنَّهَا نِعْمَةٌ كَفَرَهَا»** أَوْ قَالَ: **«كَفَرَ بِهَا»**.

(9) ـ بابُ دَعْوَةِ الخَيْلِ

3578 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: أَنْبَأَنَا يَحْيَى قَالَ: حَدَّثَنَا عَبْدُ الْحَمِيدِ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنِي يَزِيدُ بْنُ أَبِي حَبِيبٍ عَنْ سُوَيْدِ بْنِ قَيْسٍ عَنْ مُعَاوِيَةَ بْنِ حُدَيْجٍ عَنْ أَبِي ذَرٍّ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَا مِنْ فَرَسٍ عَرَبِيٍّ إِلاَّ يُؤْذَنُ لَهُ عِنْدَ كُلِّ سَحَرٍ بِدَعْوَتَيْنِ اللَّهُمَّ خَوَّلْتَنِي مَنْ خَوَّلْتَنِي مِنْ بَنِي آدَمَ وَجَعَلْتَنِي لَهُ فَٱجْعَلْنِي أَحَبَّ أَهْلِهِ وَمَالِهِ إِلَيْهِ أَوْ مِنْ أَحَبِّ مَالِهِ وَأَهْلِهِ إِلَيْهِ»**.

[10] The Severe Warning Of Getting Donkeys Jump Over Horses

3579- It is narrated on the authority of Ali Ibn Abu Talib that he said: A mule was presented to the Messenger of Allah "Allah's blessing and peace be upon him", and he rode it, thereupon Ali Ibn Abu Talib said: "If we have the donkeys jump over horses (for the purpose of copulation), we will have (resulting animals) like that (mule)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as do so have no knowledge."

3580- It is narrated on the authority of Abdullah Ibn Ubaidullah Ibn Abbas that he said: I was sitting in the house of Ibn Abbas when one asked him whether the Messenger of Allah "Allah's blessing and peace be upon him" used to recite (Qur'an aloud) in both Zhuhr and Asr prayer, and Ibn Abbas answered in the negative. He said to him: "Perhaps he used to recite secretly, i.e. in himself." On that he said: "Let your complexion be lacerated! This (which you've said) is worse than the first. He was a servant, commanded (by Allah to convey His Message), and he really conveyed Allah's Message (as it should be); and he never favoured us apart from all the people but with three things: he commanded us to perform ablution perfectly, not to accept the charity, and not to get a donkey jump over a horse (for the purpose of copulation)."

[11] The Fodder Of Horses

3581- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who keeps a horse in Allah's Cause, out of his sincere faith in Allah and trust in Allah's Promise, its fodder, water, urine and dung will be recorded as good deeds in his account."

[12] The Race Of Horses Which Are Not Made Lean

3582- It is narrated on the authority of Abdullah Ibn Umar that he said: Allah's Apostle "Allah's blessing and peace be upon him" issued an order for a horse race. The horses which were made lean were to run from a place called Al-Hafya to Thaniyyat Al-Wada and the horses which were not made lean were to run from Ath-Thaniyyah to the mosque of Banu Zuraiq.

[13] Making Horses Lean To Take Part In The Race

3583- It is narrated on the authority of Abdullah Ibn Umar that he said: Allah's Apostle "Allah's blessing and peace be upon him" issued an order for a horse race. The horses which were made lean were to run from a place called Al-Hafya to Thaniyyat Al-Wada and the horses which were not made

(10) ـ التَّشْدِيدُ في حَمْلِ الحَمِيرِ على الخَيْلِ

3579 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ أَبِي الْخَيْرِ عَنِ ٱبْنِ زُرَيْرٍ عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ ٱللَّهُ عَنْهُ قَالَ: أُهْدِيَتْ إِلَى رَسُولِ ٱللَّهِ ﷺ بَغْلَةٌ فَرَكِبَهَا فَقَالَ عَلِيٌّ: لَوْ حَمَلْنَا الْحَمِيرَ عَلَى الْخَيْلِ لَكَانَتْ لَنَا مِثْلَ هٰذِهِ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنَّمَا يَفْعَلُ ذٰلِكَ الَّذِينَ لاَ يَعْلَمُونَ»**.

3580 ـ أَخْبَرَنَا حُمَيْدُ بْنُ مَسْعَدَةَ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ أَبِي جَهْضَمٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عُبَيْدِ ٱللَّهِ بْنِ عَبَّاسٍ قَالَ: كُنْتُ عِنْدَ ٱبْنِ عَبَّاسٍ فَسَأَلَهُ رَجُلٌ: أَكَانَ رَسُولُ ٱللَّهِ ﷺ يَقْرَأُ فِي الظُّهْرِ وَالْعَصْرِ؟ قَالَ: لاَ قَالَ: فَلَعَلَّهُ كَانَ يَقْرَأُ فِي نَفْسِهِ؟ قَالَ: خَمْشاً هٰذِهِ شَرٌّ مِنَ الأُولَى إِنَّ رَسُولَ ٱللَّهِ ﷺ عَبْدٌ أَمَرَهُ ٱللَّهُ تَعَالَى بِأَمْرِهِ فَبَلَّغَهُ وَٱللَّهِ مَا ٱخْتَصَّنَا رَسُولُ ٱللَّهِ ﷺ بِشَيْءٍ دُونَ النَّاسِ إِلاَّ بِثَلاَثَةٍ أَمَرَنَا أَنْ نُسْبِغَ الْوُضُوءَ وَأَنْ لاَ نَأْكُلَ الصَّدَقَةَ وَلاَ نُنْزِي الْحُمُرَ عَلَى الْخَيْلِ.

(11) ـ عَلَفُ الخَيْلِ

3581 ـ قَالَ الْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ حَدَّثَنِي طَلْحَةُ بْنُ أَبِي سَعِيدٍ أَنَّ سَعِيداً الْمَقْبُرِيَّ حَدَّثَهُ عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«مَنِ ٱحْتَبَسَ فَرَساً فِي سَبِيلِ ٱللَّهِ إِيمَاناً بِاللَّهِ وَتَصْدِيقاً لِوَعْدِ ٱللَّهِ كَانَ شِبَعُهُ وَرِيُّهُ وَبَوْلُهُ وَرَوْثُهُ حَسَنَاتٍ فِي مِيزَانِهِ»**.

(12) ـ غَايَةُ السَّبْقِ للَّتي لم تُضَمَّرْ

3582 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنِ ٱبْنِ أَبِي ذِئْبٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ سَابَقَ بَيْنَ الْخَيْلِ يُرْسِلُهَا مِنَ الْحَفْيَاءِ وَكَانَ أَمَدُهَا ثَنِيَّةَ الْوَدَاعِ وَسَابَقَ بَيْنَ الْخَيْلِ الَّتِي لَمْ تُضَمَّرْ وَكَانَ أَمَدُهَا مِنَ الثَّنِيَّةِ إِلَى مَسْجِدِ بَنِي زُرَيْقٍ.

(13) ـ بابُ إِضْمَارِ الخَيْلِ للسَّبْقِ

3583 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ سَابَقَ بَيْنَ الْخَيْلِ الَّتِي قَدْ أُضْمِرَتْ مِنَ الْحَفْيَاءِ وَكَانَ أَمَدُهَا ثَنِيَّةَ الْوَدَاعِ وَسَابَقَ بَيْنَ الْخَيْلِ الَّتِي لَمْ تُضْمَرْ

lean were to run from Ath-Thaniyyah to the mosque of Banu Zuraiq; and Abdullah was one of those who took part in the horse race.

[14] The Prize Of Race

3584- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "No race is lawful (for which there is prize) except in such things as a blade, a hoof of a horse or a camel." (i.e. those things which are used in war, in exhortation to get them, and set out and take part in Jihad).

3585- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "No race is lawful (for which there is prize) except in such things as a blade, a hoof of a camel or a horse." (i.e. those things which are used in war, in exhortation to get them, and set out and take part in Jihad).

3586- It is narrated on the authority of Abu Hurairah that he said: "No race is lawful (for which there is prize) except in such things as a hoof of a camel or a horse."

3587- It is narrated on the authority of Anas that he said: The Prophet "Allah's blessing and peace be upon him" had a she-camel called Al-Adba which could not be excelled in speed. Once a Bedouin came riding a camel below six years of age which surpassed it in the race. The Muslims felt it so much that when The Prophet "Allah's blessing and peace be upon him" noticed (the sign of distress) on their faces, they said: "O Messenger of Allah! Al-Adba was surpassed." On that he said: "It is Allah's Law that nothing in the world rises but that He Almighty brings it down."

3588- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "No race is lawful (for which there is prize) except in a hoof of a camel or a horse."

[15] Making Assaults (In Races)

3589- It is narrated on the authority of Imran Ibn Husain that the Messenger of Allah "Allah's blessing and peace be upon him" said: "None should follow a horseman engaged in a horse race to make assaults (on the other contenders) nor should one set aside (another horse in addition to such as involved in the race, with the intention to ride it in case his horse weakens or is exhausted), nor should there be Shighar in Islam; and he, who commits robbery does not belong to us."

مِنَ الثَّنِيَّةِ إِلَى مَسْجِدِ بَنِي زُرَيْقٍ وَأَنَّ عَبْدَ ٱللَّهِ كَانَ مِمَّنْ سَابَقَ بِهَا.

(14) ـ بابُ السَّبْقِ

3584 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنِ ٱبْنِ أَبِي ذِئْبٍ عَنْ نَافِعِ بْنِ أَبِي نَافِعٍ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لاَ سَبْقَ إلا فِي نَصْلٍ أَوْ حَافِرٍ أَوْ خُفٍّ»**.

3585 ـ أَخْبَرَنَا سَعِيدُ بْنُ عَبْدِ الرَّحْمٰنِ أَبُو عُبَيْدِ ٱللَّهِ الْمَخْزُومِيُّ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ ٱبْنِ أَبِي ذِئْبٍ عَنْ نَافِعِ بْنِ أَبِي نَافِعٍ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لاَ سَبْقَ إلاَّ فِي نَصْلٍ أَوْ خُفٍّ أَوْ حَافِرٍ»**.

3586 ـ أَخْبَرَنَا إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي مَرْيَمَ قَالَ: أَنْبَأَنَا اللَّيْثُ عَنِ ٱبْنِ أَبِي جَعْفَرٍ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ عَنْ أَبِي عُبَيْدِ ٱللَّهِ مَوْلَى الْجُنْدَعِيِّينَ عَنْ أَبِي هُرَيْرَةَ رَضِيَ ٱللَّهُ عَنْهُ قَالَ: **«لاَ يَحِلُّ سَبْقٌ إلاَّ عَلَى خُفٍّ أَوْ حَافِرٍ»**.

3587 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ خَالِدٍ قَالَ: حَدَّثَنَا حُمَيْدٌ عَنْ أَنَسٍ قَالَ: كَانَتْ لِرَسُولِ ٱللَّهِ ﷺ نَاقَةٌ تُسَمَّى الْعَضْبَاءَ لاَ تُسْبَقُ فَجَاءَ أَعْرَابِيٌّ عَلَى قَعُودٍ فَسَبَقَهَا فَشَقَّ عَلَى الْمُسْلِمِينَ فَلَمَّا رَأَى مَا فِي وُجُوهِهِمْ قَالُوا: يَا رَسُولَ ٱللَّهِ سُبِقَتِ الْعَضْبَاءُ قَالَ: **«إِنَّ حَقّاً عَلَى ٱللَّهِ أَنْ لاَ يَرْتَفِعَ مِنَ الدُّنْيَا شَيْءٌ إلاَّ وَضَعَهُ»**.

3588 ـ أَخْبَرَنَا عِمْرَانُ بْنُ مُوسَى قَالَ: حَدَّثَنَا عَبْدُ الْوَارِثِ عَنْ مُحَمَّدِ بْنِ عَمْرٍو عَنْ أَبِي الْحَكَمِ مَوْلَى لِبَنِي لَيْثٍ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ سَبْقَ إلاَّ فِي خُفٍّ أَوْ حَافِرٍ»**.

(15) ـ الجَلَبُ

3589 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا حُمَيْدٌ قَالَ: حَدَّثَنَا الْحَسَنُ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ جَلَبَ وَلاَ جَنَبَ وَلاَ شِغَارَ فِي الإِسْلاَمِ وَمَنِ ٱنْتَهَبَ نُهْبَةً فَلَيْسَ مِنَّا»**.

[16] Setting Aside (A Spare Horse To Be Used At Necessity)

3590- It is narrated on the authority of Imran Ibn Husain that the Messenger of Allah "Allah's blessing and peace be upon him" said: "None should set aside (a spare horse in addition to such as involved in the race, with the intention to ride it in case his horse weakens or is exhausted), nor should one follow a horseman engaged in a horse race to make assaults (on the other contenders), nor should there be Shighar in Islam."

3591- It is narrated on the authority of Anas that he said: A desert dweller (on his camel) raced the Messenger of Allah "Allah's blessing and peace be upon him" (on his she-camel), and he preceded him, with the result that the companions of the Messenger of Allah "Allah's blessing and peace be upon him" seemed to have become angry within themselves. When a mention of that was made to him he said: "It is Allah's Law that nothing raises itself high in the world but that Allah Almighty brings it down."

[17] The Shares Of Horses

3592- It is narrated on the authority of Abdullah Ibn Az-Zubair that he said: In the year of (the holy battle of) Khaibar, the Messenger of Allah "Allah's blessing and peace be upon him" fixed four shares for Az-Zubair Ibn Al-Awwam: one for him, one for the kinship, i.e. Az-Zubair's mother Safiyyah Bint Abd Al-Muttalib, and two for his horse.

(16) ـ الجَنَبُ

3590 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي قَزَعَةَ عَنِ الْحَسَنِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**لاَ جَلَبَ وَلاَ جَنَبَ وَلاَ شِغَارَ فِي الإِسْلاَمِ**».

3591 ـ أَخْبَرَنِي عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرٍ قَالَ: حَدَّثَنَا بَقِيَّةُ بْنُ الْوَلِيدِ قَالَ: حَدَّثَنِي شُعْبَةُ قَالَ: حَدَّثَنِي حُمَيْدٌ الطَّوِيلُ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: سَابَقَ رَسُولُ ٱللَّهِ ﷺ أَعْرَابِيٌّ فَسَبَقَهُ فَكَأَنَّ أَصْحَابَ رَسُولِ ٱللَّهِ ﷺ وَجَدُوا فِي أَنْفُسِهِمْ مِنْ ذٰلِكَ فَقِيلَ لَهُ فِي ذٰلِكَ فَقَالَ: «**حَقٌّ عَلَى ٱللَّهِ أَنْ لاَ يَرْفَعَ شَيْءٌ نَفْسَهُ فِي الدُّنْيَا إِلاَّ وَضَعَهُ ٱللَّهُ**».

(17) ـ بابُ سُهْمَانِ الخَيْلِ

3592 ـ قَالَ الْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي سَعِيدُ بْنُ عَبْدِ الرَّحْمٰنِ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ يَحْيَى بْنِ عَبَّادِ بْنِ عَبْدِ ٱللَّهِ بْنِ الزُّبَيْرِ عَنْ جَدِّهِ أَنَّهُ كَانَ يَقُولُ: «ضَرَبَ رَسُولُ ٱللَّهِ ﷺ عَامَ خَيْبَرَ لِلزُّبَيْرِ بْنِ الْعَوَّامِ أَرْبَعَةَ أَسْهُمٍ سَهْماً لِلزُّبَيْرِ وَسَهْماً لِذِي الْقُرْبَى لِصَفِيَّةَ بِنْتِ عَبْدِ الْمُطَّلِبِ أُمِّ الزُّبَيْرِ وَسَهْمَيْنِ لِلْفَرَسِ».

(29) THE BOOK OF ENDOWMENTS

[1]

3593- It is narrated on the authority of Amr Ibn Al-Harith that he said: the Messenger of Allah "Allah's blessing and peace be upon him" left no Dinar nor Dirham, nor slave nor slave-girl (in short he left nothing after him) barring his white mule, which he used to ride, his weapon, and a (piece of) land, which he gave as endowment in Allah's Cause (or which he left to be given in charity according to Qutaibah).

3594- It is narrated on the authority of Amr Ibn Al-Harith that he said: the Messenger of Allah "Allah's blessing and peace be upon him" left nothing after him barring his white mule, his weapon, and a (piece of) land, which he left to be given in charity.

3595- It is narrated on the authority of Amr Ibn Al-Harith that he said: I saw that the Messenger of Allah "Allah's blessing and peace be upon him" left nothing after him barring his white mule, his weapon, and a (piece of) land, which he left to be given in charity.

[2] How Should An Endowment Be Made?

3596- It is narrated on the authority of Nafi from Ibn Umar that Umar Ibn Al-Khattab said: I've got some land in Khaibar and I went to The Prophet "Allah's blessing and peace be upon him" (to consult him about it) saying: "O Messenger of Allah! I've got some land in Khaibar better and dearer than which I have never had, what do you suggest for me to do with it?" The Prophet "Allah's blessing and peace be upon him" said: "If you like you can give it in charity (as an endowment)." So Umar gave it in charity as an endowment on the condition that it should neither be sold, nor given to anybody as a gift. However, its yield would be given in charity to the poor people, to the Kith and kin, for manumitting slaves, for Allah's Cause, to the guests and travellers. But there would be no harm if the administrator of the endowment ate from it, according to his need, and fed others without the intention of getting wealthy from it.

3597- The same is narrated on the authority of Nafi from Ibn Umar from Umar Ibn Al-Khattab from the Messenger of Allah "Allah's blessing and peace be upon him".

3598- It is narrated on the authority of Nafi from Ibn Umar that Umar Ibn Al-Khattab got some land in Khaibar and he went to The Prophet "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I've got some land in Khaibar better than which I have never had, what do you

(29) ـ كتاب الأحْبَاسِ

(1) ـ [بابٌ]

3593 ـ أخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا أَبُو الأَحْوَصِ عَنْ أَبِي إِسْحَاقَ عَنْ عَمْرِو بْنِ الْحَارِثِ قَالَ: مَا تَرَكَ رَسُولُ ٱللَّهِ ﷺ دِينَاراً وَلاَ دِرْهَماً وَلاَ عَبْداً وَلاَ أَمَةً إِلاَّ بَغْلَتَهُ الشَّهْبَاءَ الَّتِي كَانَ يَرْكَبُهَا وَسِلاَحَهُ وَأَرْضاً جَعَلَهَا فِي سَبِيلِ ٱللَّهِ وَقَالَ قُتَيْبَةُ مَرَّةً أُخْرَى: صَدَقَةً.

3594 ـ أخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي أَبُو إِسْحَاقَ قَالَ: سَمِعْتُ عَمْرَو بْنَ الْحَارِثِ يَقُولُ: «مَا تَرَكَ رَسُولُ ٱللَّهِ ﷺ إِلاَّ بَغْلَتَهُ الْبَيْضَاءَ وَسِلاَحَهُ وَأَرْضاً تَرَكَهَا صَدَقَةً».

3595 ـ أخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا أَبُو بَكْرٍ الْحَنَفِيُّ قَالَ: حَدَّثَنَا يُونُسُ بْنُ أَبِي إِسْحَاقَ عَنْ أَبِيهِ قَالَ: سَمِعْتُ عَمْرَو بْنَ الْحَارِثِ يَقُولُ: «رَأَيْتُ رَسُولَ ٱللَّهِ ﷺ مَا تَرَكَ إِلاَّ بَغْلَتَهُ الشَّهْبَاءَ وَسِلاَحَهُ وَأَرْضاً تَرَكَهَا صَدَقَةً».

(2) ـ الأحْبَاسُ

كَيْفَ يُكْتَبُ الْحُبُسُ وذِكْرُ الاخْتِلافِ على ابْنِ عَوْنٍ في خَبَرِ ابْنِ عُمَرَ فيه

3596 ـ أخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا أَبُو دَاوُدَ الْحَفَرِيُّ عُمَرُ بْنُ سَعْدٍ عَنْ سُفْيَانَ الثَّوْرِيِّ عَنِ ٱبْنِ عَوْنٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ عَنْ عُمَرَ قَالَ: أَصَبْتُ أَرْضاً مِنْ أَرْضِ خَيْبَرَ فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقُلْتُ: أَصَبْتُ أَرْضاً لَمْ أُصِبْ مَالاً أَحَبَّ إِلَيَّ وَلاَ أَنْفَسَ عِنْدِي مِنْهَا قَالَ: «**إِنْ شِئْتَ تَصَدَّقْتَ بِهَا**». فَتَصَدَّقَ بِهَا عَلَى أَنْ لاَ تُبَاعَ وَلاَ تُوهَبَ فِي الْفُقَرَاءِ وَذِي الْقُرْبَى وَالرِّقَابِ وَالضَّيْفِ وَٱبْنِ السَّبِيلِ لاَ جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَ بِالْمَعْرُوفِ غَيْرَ مُتَمَوِّلٍ مَالاً وَيُطْعِمَ.

3597 ـ أخْبَرَنِي هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مُعَاوِيَةُ بْنُ عَمْرٍو عَنْ أَبِي إِسْحَاقَ الْفَزَارِيِّ عَنْ أَيُّوبَ بْنِ عَوْنٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ عَنْ عُمَرَ رَضِيَ ٱللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ نَحْوَهُ.

3598 ـ أخْبَرَنَا حُمَيْدُ بْنُ مَسْعَدَةَ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا ٱبْنُ عَوْنٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ عَنْ عُمَرَ قَالَ: أَصَابَ عُمَرُ أَرْضاً بِخَيْبَرَ فَأَتَى النَّبِيَّ ﷺ فَقَالَ: أَصَبْتُ أَرْضاً لَمْ أُصِبْ مَالاً قَطُّ أَنْفَسَ عِنْدِي فَكَيْفَ تَأْمُرُ بِهِ؟ قَالَ: «**إِنْ شِئْتَ حَبَّسْتَ أَصْلَهَا**

suggest for me to do with it?" The Prophet "Allah's blessing and peace be upon him" said: "If you like you can give the land as endowment and give its yield in charity." So Umar gave it in charity as an endowment on the condition that it should neither be sold, given to anybody as a gift, nor be inherited. However, its yield would be given in charity to the poor people, to the Kith and kin, for manumitting slaves, for Allah's Cause, to the guests and wayfarers. But there would be no harm if the administrator of the endowment ate from it, according to his need, and fed others without the intention of getting wealthy from it.

3599- It is narrated on the authority of Nafi from Ibn Umar that Umar Ibn Al-Khattab got some land in Khaibar and he went to The Prophet "Allah's blessing and peace be upon him" to consult him about it saying: "O Messenger of Allah! I've got a great piece of land in Khaibar better than which I have never had, what do you suggest for me to do with it?" The Prophet "Allah's blessing and peace be upon him" said: "If you like you can give the land as endowment and give its yield in charity." So Umar gave it in charity as an endowment on the condition that it should neither be sold, given to anybody as a gift, nor be inherited. However, its yield would be given in charity to the poor people, to the Kith and kin, for manumitting slaves, for Allah's Cause, to the wayfarers and guests. But there would be no harm if the administrator of the endowment ate from it, according to his need, and fed others without the intention of getting wealthy from it.

3600- It is narrated on the authority of Nafi from Ibn Umar that Umar Ibn Al-Khattab got some land in Khaibar and he went to The Prophet "Allah's blessing and peace be upon him" to consult him about it. The Prophet "Allah's blessing and peace be upon him" said: "If you like you can give the land as endowment and give its yield in charity." So Umar gave it in charity as an endowment on the condition that it should neither be sold, nor be given to anybody as a gift, nor be inherited. However, its yield would be given in charity to the poor people, to the Kith and kin, for manumitting slaves, for the indigent, to the wayfarers and guests. But there would be no harm if the administrator of the endowment ate from it, according to his need, and fed others without the intention of getting wealthy from it.

3601- It is narrated on the authority of Anas that he said: When the following Holy Verse was revealed: " By no means shall you attain righteousness unless you give (freely) of that which you love; and whatever you give, of a truth Allah knows it well" (Al Imran 92) Abu Talhah said: "No doubt, our Lord asks us to give (in charity) out of our wealth; and I make you witness, O Messenger of Allah, that I've given my land (in charity

وَتَصَدَّقْتَ بِهَا». فَتَصَدَّقَ بِهَا» عَلَى أَنْ لاَ تُبَاعُ وَلاَ تُوهَبَ وَلاَ تُورَثَ فِي الْفُقَرَاءِ وَالْقُرْبَى وَالرِّقَابِ وَفِي سَبِيلِ ٱللَّهِ وَالضَّيْفِ وَٱبْنِ السَّبِيلِ لاَ جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَ مِنْهَا بِالْمَعْرُوفِ وَيُطْعِمَ صَدِيقاً غَيْرَ مُتَمَوِّلٍ فِيهِ.

3599 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعودٍ قَالَ: حَدَّثَنَا بِشْرٌ عَنِ ٱبْنِ عَوْنٍ قَالَ: وَأَنْبَأَنَا حُمَيْدُ بْنُ مَسْعَدَةَ قَالَ: حَدَّثَنَا بِشْرٌ قَالَ: حَدَّثَنَا ٱبْنُ عَوْنٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالَ: أَصَابَ عُمَرُ أَرْضاً بِخَيْبَرَ فَأَتَى النَّبِيَّ ﷺ فَٱسْتَأْمَرَهُ فِيهَا فَقَالَ: إِنِّي أَصَبْتُ أَرْضاً كَثِيراً لَمْ أُصِبْ مَالاً قَطُّ أَنْفَسَ عِنْدِي مِنْهُ فَمَا تَأْمُرُ فِيهَا؟ قَالَ: «**إِنْ شِئْتَ حَبَّسْتَ أَصْلَهَا وَتَصَدَّقْتَ بِهَا**» فَتَصَدَّقَ بِهَا عَلَى أَنَّهُ لاَ تُبَاعُ وَلاَ تُوهَبُ فَتَصَدَّقَ بِهَا فِي الْفُقَرَاءِ وَالْقُرْبَى وَفِي الرِّقَابِ وَفِي سَبِيلِ ٱللَّهِ وَٱبْنِ السَّبِيلِ وَالضَّيْفِ لاَ جُنَاحَ يَعْنِي عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَ أَوْ يُطْعِمَ صَدِيقاً غَيْرَ مُتَمَوِّلٍ. اللَّفْظُ لإِسْمَاعِيلَ.

3600 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا أَزْهَرُ السَّمَّانُ عَنِ ٱبْنِ عَوْنٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: أَنَّ عُمَرَ أَصَابَ أَرْضاً بِخَيْبَرَ فَأَتَى النَّبِيَّ ﷺ يَسْتَأْمِرُهُ فِي ذٰلِكَ فَقَالَ: «**إِنْ شِئْتَ حَبَّسْتَ أَصْلَهَا وَتَصَدَّقْتَ بِهَا**» فَحَبَّسَ أَصْلَهَا أَنْ لاَ تُبَاعَ وَلاَ تُوهَبَ وَلاَ تُورَثَ فَتَصَدَّقَ بِهَا عَلَى الْفُقَرَاءِ وَالْقُرْبَى وَالرِّقَابِ وَفِي الْمَسَاكِينِ وَٱبْنِ السَّبِيلِ وَالضَّيْفِ لاَ جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَ مِنْهَا بِالْمَعْرُوفِ أَوْ يُطْعِمَ صَدِيقَهُ غَيْرَ مُتَمَوِّلٍ فِيهِ.

3601 ـ أَخْبَرَنَا أَبُو بَكْرِ بْنُ نَافِعٍ قَالَ: حَدَّثَنَا بَهْزٌ قَالَ: حَدَّثَنَا حَمَّادٌ قَالَ: حَدَّثَنَا ثَابِتٌ عَنْ أَنَسٍ قَالَ: لَمَّا نَزَلَتْ هٰذِهِ الآيَةُ ﴿لَن تَنَالُوا۟ ٱلْبِرَّ حَتَّىٰ تُنفِقُوا۟ مِمَّا تُحِبُّونَ﴾ [آل عمران، الآية: 92] قَالَ أَبُو طَلْحَةَ: إِنَّ رَبَّنَا لَيَسْأَلُنَا عَنْ أَمْوَالِنَا فَأُشْهِدُكَ يَا رَسُولَ ٱللَّهِ أَنِّي قَدْ جَعَلْتُ أَرْضِيَ لِلَّهِ فَقَالَ

as endowment for the Sake of Allah." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Distribute it among your kith and kin, i.e. Hassan Ibn Thabit and Ubai Ibn Ka'b."

[3] The Endowment Of (One's Portion Of) The Common Property

3602- It is narrated on the authority of Ibn Umar that Umar Ibn Al-Khattab said to the Messenger of Allah "Allah's blessing and peace be upon him": "I've never got any property much dearer to me than the one hundred shares I've got in Khaibar, and I like to give it in charity." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Give the land as endowment, and give its yield in Allah's Cause."

3603- It is narrated on the authority of Ibn Umar from Umar that Umar Ibn Al-Khattab went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I've got property, the like of which I've never got. I had one hundred heads (of animals) therewith I purchased (a land of) one hundred shares in Khaibar from its owners, and I like to come much nearer to Allah Almighty through it (i.e. by giving it in Allah's Cause)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Give the land as an endowment, and give its yield in Allah's Cause."

3604- It is narrated on the authority of Ibn Umar from Umar that he said: I asked the Messenger of Allah "Allah's blessing and peace be upon him" about a (piece of) land belonging to me in Thamgh, thereupon he said: "Give the land as an endowment, and give its yield in Allah's Cause."

[4] The Endowment Of Mosques

3605- It is narrated on the authority of Husain Ibn Abd Ar-Rahman from Umar Ibn Jawan, a man belonging to (the tribe of) Banu Tamim, that I said to him: "Tell me, what is the reason for which Al-Ahnaf Ibn Qais isolated himself (from both Ali and Mu'awiyah)?" he said: I heard Al-Ahnaf Ibn Qais having said: I came to Medina as a pilgrim, and while we were in our dwelling places, unpacking our luggage, a comer came and said: "The people are now gathering in the mosque." I looked and behold! the people were gathering in the mosque around some men in the middle who were sitting. Behold! They were Ali Ibn Abu Talib, Talhah, Az-Zubair and Sa'd Ibn Abu Waqqas "Allah's Mercy be upon them". When I approached them, it was said: "This is Uthman Ibn Affan and he has come." Uthman came having a yellow sheet. I said to my companions: "Be firm in your place until I see what he has brought." Uthman said: "Is there Ali? Is there Talhah? Is there Az-Zubair? Is there Sa'd?" they answered in the affirmative. He said: "I

رَسُولُ ٱللَّهِ ﷺ: «ٱجْعَلْهَا فِي قَرَابَتِكَ فِي حَسَّانَ بْنَ ثَابِتٍ وَأُبَيِّ بْنِ كَعْبٍ».

(3) ـ بابُ حُبُسِ المَشَاعِ

3602 ـ أَخْبَرَنَا سَعِيدُ بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عُمَرَ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالَ: قَالَ عُمَرُ لِلنَّبِيِّ ﷺ: إِنَّ الْمِائَةَ سَهْمٍ الَّتِي لِي بِخَيْبَرَ لَمْ أُصِبْ مَالاً قَطُّ أَعْجَبَ إِلَيَّ مِنْهَا قَدْ أَرَدْتُ أَنْ أَتَصَدَّقَ بِهَا فَقَالَ النَّبِيُّ ﷺ: «ٱحْبِسْ أَصْلَهَا وَسَبِّلْ ثَمَرَتَهَا».

3603 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ الْخَلَنْجِيُّ بِبَيْتِ الْمَقْدِسِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عُمَرَ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ عَنْ عُمَرَ رَضِيَ ٱللَّهُ عَنْهُ قَالَ: جَاءَ عُمَرُ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ إِنِّي أَصَبْتُ مَالاً لَمْ أُصِبْ مِثْلَهُ قَطُّ كَانَ لِي مِائَةُ سَهْمٍ مِنْ خَيْبَرَ مِنْ أَهْلِهَا وَإِنِّي قَدْ أَرَدْتُ أَنْ أَتَقَرَّبَ بِهَا إِلَى ٱللَّهِ عَزَّ وَجَلَّ قَالَ: «فَاحْبِسْ أَصْلَهَا وَسَبِّلِ الثَّمَرَةَ».

3604 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مُصَفًّى بْنِ بَهْلُولٍ قَالَ: حَدَّثَنَا بَقِيَّةُ عَنْ سَعِيدِ بْنِ سَالِمٍ الْمَكِّيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عُمَرَ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ عَنْ عُمَرَ قَالَ: سَأَلْتُ رَسُولَ ٱللَّهِ ﷺ عَنْ أَرْضٍ لِي بِثَمْغٍ قَالَ: «ٱحْبِسْ أَصْلَهَا وَسَبِّلْ ثَمَرَتَهَا».

(4) ـ بابُ وَقْفِ المَسَاجِدِ

3605 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا الْمُعْتَمِرُ بْنُ سُلَيْمَانَ قَالَ: سَمِعْتُ أَبِي يُحَدِّثُ عَنْ حُصَيْنِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ عُمَرَ بْنِ جَاوَانَ رَجُلٍ مِنْ بَنِي تَمِيمٍ وَذَاكَ إِنِّي قُلْتُ لَهُ: أَرَأَيْتَ اعْتِزَالَ الأَحْنَفِ بْنِ قَيْسٍ مَا كَانَ؟ قَالَ: سَمِعْتُ الأَحْنَفَ يَقُولُ أَتَيْتُ الْمَدِينَةَ وَأَنَا حَاجٌّ فَبَيْنَا نَحْنُ فِي مَنَازِلِنَا نَضَعُ رِحَالَنَا إِذْ أَتَى آتٍ فَقَالَ: قَدِ ٱجْتَمَعَ النَّاسُ فِي الْمَسْجِدِ فَاطَّلَعْتُ فَإِذَا يَعْنِي النَّاسَ مُجْتَمِعُونَ وَإِذَا بَيْنَ أَظْهُرِهِمْ نَفَرٌ قُعُودٌ فَإِذَا هُوَ عَلِيُّ بْنُ أَبِي طَالِبٍ وَالزُّبَيْرُ وَطَلْحَةُ وَسَعْدُ بْنُ أَبِي وَقَّاصٍ رَحْمَةُ ٱللَّهِ عَلَيْهِمْ فَلَمَّا قُمْتُ عَلَيْهِمْ قِيلَ: هٰذَا عُثْمَانُ بْنُ عَفَّانَ قَدْ جَاءَ قَالَ: فَجَاءَ وَعَلَيْهِ مُلَيَّةٌ صَفْرَاءُ فَقُلْتُ لِصَاحِبِي: كَمَا أَنْتَ حَتَّى أَنْظُرَ مَا جَاءَ بِهِ فَقَالَ عُثْمَانُ: أَهٰهُنَا عَلِيٌّ؟ أَهٰهُنَا الزُّبَيْرُ؟ أَهٰهُنَا سَعْدٌ؟ قَالُوا: نَعَمْ قَالَ: فَأَنْشُدُكُمْ بِاللَّهِ الَّذِي لاَ إِلٰهَ

beseech you by Allah, other than Whom there is no god (to be worshipped): do you know that the Messenger of Allah "Allah's blessing and peace be upon him" said: 'Who could purchase the date-drying place of sons of so and so, Allah forgives him'? I then purchased it and when I came to the Messenger of Allah "Allah's blessing and peace be upon him" and told him, he said: 'Make it in our mosque, and you will receive its reward.'" They said: "Yes by Allah (we know that)." He said: "I beseech you by Allah, other than Whom there is no god (to be worshipped): do you know that the Messenger of Allah "Allah's blessing and peace be upon him" said: 'Who could purchase the well of Rumah Allah forgives him'? I then purchased it and when I came to the Messenger of Allah "Allah's blessing and peace be upon him" and said to him: 'I've purchased it.' He said: 'Make it a source of water for the Muslims, and you will receive its reward.'" They said: "Yes by Allah (we know that)." He said: "I beseech you by Allah, other than Whom there is no god (to be worshipped): do you know that the Messenger of Allah "Allah's blessing and peace be upon him" said: 'Who could prepare the army of Difficulty, Allah forgives for him'? I then prepared it to the extent that even no rope nor nose-string was missing." They said: "Yes by Allah (we know that)." On that he said: "O Allah! Be Witness to that! O Allah! Be Witness to that! O Allah! Be Witness to that!"

3606- It is narrated on the authority of Al-Ahnaf Ibn Qais that he said: We set out as pilgrims, and we went to Medina with the intention to perform Hajj, and while we were in our dwelling places, unpacking our luggage, a comer came and said: "The people have been scared and they are now gathering in the mosque." We went and found the people having gathered in the mosque around some men in the middle, including Ali, Talhah, Az-Zubair and Sa'd Ibn Abu Waqqas. Such being the case, Uthman came having a yellow sheet therewith he covered his head. He said: "Is there Talhah? Is there Az-Zubair? Is there Sa'd?" they answered in the affirmative. He said: "I beseech you by Allah, other than Whom there is no god (to be worshipped): do you know that the Messenger of Allah "Allah's blessing and peace be upon him" said: 'Who could purchase the date-drying place of sons of so and so, Allah forgives him'? I then purchased it for twenty or twenty-five thousand (Dirhams) and when I came to the Messenger of Allah "Allah's blessing and peace be upon him" and told him, he said: 'Make it in our mosque, and you will receive its reward.'" They said: "Yes by Allah (we know that)." He said: "I beseech you by Allah, other than Whom there is no god (to be worshipped): do you know that the Messenger of Allah "Allah's blessing and peace be upon him" said: 'Who could purchase the well of Rumah Allah forgives him'? I then purchased it for such and such (money)

إلاَّ هُوَ أَتَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**مَنْ يَبْتَاعُ مِرْبَدَ بَنِي فُلانٍ غَفَرَ ٱللَّهُ لَهُ**» فَٱبْتَعْتُهُ فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقُلْتُ: إِنِّي ٱبْتَعْتُ مِرْبَدَ بَنِي فُلاَنٍ قَالَ: «**فَٱجْعَلْهُ فِي مَسْجِدِنَا وَأَجْرُهُ لَكَ**» قَالُوا: نَعَمْ قَالَ: فَأَنْشُدُكُمْ بِاللَّهِ الَّذِي لاَ إِلٰهَ إلاَّ هوَ هَلْ تَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**مَنْ يَبْتَاعُ بِئْرَ رُومَةَ غَفَرَ ٱللَّهُ لَهُ**». فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقُلْتُ: قَدِ ٱبْتَعْتُ بِئْرَ رُومَةَ قَالَ: «**فَاجْعَلْهَا سِقَايَةً لِلْمُسْلِمِينَ وَأَجْرُهَا لَكَ**» قَالُوا: نَعَمْ قَالَ: فَأَنْشُدُكُمْ بِاللَّهِ الَّذِي لاَ إِلٰهَ إلاَّ هُوَ هَلْ تَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**مَنْ يُجَهِّزْ جَيْشَ الْعُسْرَةِ غَفَرَ ٱللَّهُ لَهُ**» فَجَهَّزْتُهُمْ حَتَّى مَا يَفْقِدُونَ عِقَالاً وَلاَ خِطَاماً قَالُوا: نَعَمْ قَالَ: اللَّهُمَّ اشْهَدْ اللَّهُمَّ ٱشْهَدْ اللَّهُمَّ ٱشْهَدْ.

3606 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ بْنُ إِدْرِيسَ قَالَ: سَمِعْتُ حُصَيْنَ بْنَ عَبْدِ ٱلرَّحْمٰنِ يُحَدِّثُ عَنْ عُمَرَ بْنِ جَاوَانَ عَنِ الأَحْنَفِ بْنِ قَيْسٍ قَالَ: خَرَجْنَا حُجَّاجاً فَقَدِمْنَا الْمَدِينَةَ وَنَحْنُ نُرِيدُ الْحجَّ فَبَيْنَا نَحْنُ فِي مَنَازِلِنَا نَضَعُ رِحَالَنَا إِذْ أَتَانَا آتٍ فَقَالَ: إِنَّ النَّاسَ قَدِ اجْتَمَعُوا فِي الْمَسْجِدِ وَفَزِعُوا فَانْطَلَقْنَا فَإِذَا النَّاسُ مُجْتَمِعُونَ عَلَى نَفَرٍ فِي وَسَطِ الْمَسْجِدِ وَإِذَا عَلِيٌّ وَالزُّبَيْرُ وَطَلْحَةُ وَسَعْدُ بْنُ أَبِي وَقَّاصٍ فَإِنَّا لَكَذٰلِكَ إِذْ جَاءَ عُثْمَانُ بْنُ عَفَّانَ عَلَيْهِ مُلاَءَةٌ صَفْرَاءُ قَدْ قَنَّعَ بِهَا رَأْسَهُ فَقَالَ: أَهٰهُنَا عَلِيٌّ؟ أَهٰهُنَا طَلْحَةُ؟ أَهٰهُنَا الزُّبَيْرُ؟ أَهٰهُنَا سَعْدٌ؟ قَالُوا: نَعَمْ قَالَ: فَإِنِّي أَنْشُدُكُمْ بِاللَّهِ الَّذِي لاَ إِلٰهَ إلاَّ هُوَ أَتَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**مَنْ يَبْتَاعُ مِرْبَدَ بَنِي فُلاَنٍ غَفَرَ ٱللَّهُ لَهُ**». فَٱبْتَعْتُهُ بِعِشْرِينَ أَلْفاً أَوْ بِخَمْسَةٍ وَعِشْرِينَ أَلْفاً فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَأَخْبَرْتُهُ فَقَالَ: ٱجْعَلْهَا فِي مَسْجِدِنَا وَأَجْرُهُ لَكَ قَالوا: اللَّهُم نَعَمْ قَالَ: فَأَنْشُدُكُمْ بِاللَّهِ الَّذِي لاَ إِلٰهَ إلاَّ هُوَ أَتَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**مَنْ يَبْتَاعُ بِئْرِ رُومَةَ غَفَرَ ٱللَّهُ لَهُ**» فَٱبْتَعْتُهُ بِكَذَا

and when I came to the Messenger of Allah "Allah's blessing and peace be upon him" and said to him: 'I've purchased it for such and such' he said: 'Make it a source of water for the Muslims, and you will receive its reward'" They said: "Yes by Allah (we know that)." He said: "I beseech you by Allah, other than Whom there is no god (to be worshipped): do you know that the Messenger of Allah "Allah's blessing and peace be upon him" caught a glimpse of the faces of the people and said: 'Who could prepare those (Muslims who are going to take part in) the army of Difficulty, Allah forgives for him'? I then prepared it to the extent that even no rope nor nose-string was missing." They said: "Yes by Allah (we know that)." On that he said: "O Allah! Be Witness to that! O Allah! Be Witness to that! O Allah! Be Witness to that!"

3607- It is narrated on the authority of Thumamah Ibn Hazn Al-Qushairi that he said: I was present when Uthman looked at the people from the window of his house and said: "I beseech you by Allah and Islam: do you know that the Messenger of Allah "Allah's blessing and peace be upon him" came to Medina and there was no sweet water (fitting for drink) barring that of the well of Rumah, thereupon he said: 'He, who purchases the well of Rumah, and makes his (portion of it no more than a) bucket in it with the buckets of the Muslims, will have what is better than it in the Garden'? I then purchased it from my own wealth, and made my (portion in it no more than a) bucket in it with the buckets of the Muslims; and now, you prevent me from drinking from it, to the extent that I drink from the water of the (well that is in the house, and it is as salty as the water of the) sea." They said: "Yes, by Allah (we bear witness to that)." He further said: "I beseech you by Allah and Islam: do you know that I've prepared the army of Difficulty from my own wealth?" they said: "Yes, by Allah (we know that)." He said: "I beseech you by Allah and Islam: do you know that the mosque became too narrow to imply its visitors, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: 'He, who purchases the piece of land of so and so, therewith to increase the area of the mosque, will have what is better than it in the Garden'? I then purchased it from my own wealth, therewith I increased the area of the mosque; even though you now prevent me from offering even a two-rak'ah prayer in it." They said: "Yes, by Allah (we know that)." He said: "I beseech you by Allah and Islam: do you know that once, the Messenger of Allah "Allah's blessing and peace be upon him" was on Thabir mountain of Mecca, in the company of Abu Bakr, Umar and I, and then the mountain trembled thereupon the Messenger of Allah "Allah's blessing and peace be upon him" kicked it and said: 'Be at rest O Thabir! None other than a Prophet, a Truly Faithful Believer and two martyrs are on

وَكَذَا فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقُلْتُ قَدِ ٱبْتُعْتُهَا بِكَذَا وَكَذَا قَالَ: «**ٱجْعَلْهَا سِقَايَةً لِلْمُسْلِمِينَ وَأَجْرُهَا لَكَ**» قَالُوا: اللَّهُمَّ نَعَمْ قَالَ: فَأَنْشُدُكُمْ بِاللَّهِ الَّذِي لاَ إِلَهَ إِلاَّ هُوَ أَتَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ نَظَرَ فِي وُجُوهِ الْقَوْمِ فَقَالَ: «**مَنْ جَهَّزَ هٰؤُلاَءِ غَفَرَ ٱللَّهُ لَهُ**» يَعْنِي جَيْشَ الْعُسْرَةِ فَجَهَّزْتُهُمْ حَتَّى مَا يَفْقِدُونَ عِقَالاً وَلاَ خِطَاماً قَالُوا: ٱللَّهُمَّ نَعَمْ قَالَ: ٱللَّهُمَّ ٱشْهَدْ ٱللَّهُمَّ ٱشْهَدْ.

3607 ـ أَخْبَرَنِي زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا سَعِيدُ بْنُ عَامِرٍ عَنْ يَحْيَى بْنِ أَبِي الْحَجَّاجِ عَنْ سَعِيدٍ الْجُرَيْرِيِّ عَنْ ثُمَامَةَ بْنِ حَزْنٍ الْقُشَيْرِيِّ قَالَ: شَهِدْتُ الدَّارَ حِينَ أَشْرَفَ عَلَيْهِمْ عُثْمَانُ فَقَالَ: أَنْشُدُكُمْ بِاللَّهِ وَبِالإِسْلاَمِ هَلْ تَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَدِمَ الْمَدِينَةَ وَلَيْسَ بِهَا مَاءٌ يُسْتَعْذَبُ غَيْرَ بِئْرِ رُومَةَ فَقَالَ: «**مَنْ يَشْتَرِي بِئْرَ رُومَةَ فَيَجْعَلُ فِيهَا دَلْوَهُ مَعَ دَلاَءِ الْمُسْلِمِينَ بِخَيْرٍ لَهُ مِنْهَا فِي الْجَنَّةِ؟**». فَٱشْتَرَيْتُهَا مِنْ صُلْبِ مَالِي فَجَعَلْتُ دَلْوِي فِيهَا مَعَ دِلاَءِ الْمُسْلِمِينَ وَأَنْتُمُ الْيَوْمَ تَمْنَعُونِي مِنَ الشُّرْبِ مِنْهَا حَتَّى أَشْرَبَ مِنْ مَاءِ الْبَحْرِ قَالُوا: ٱللَّهُمَّ نَعَمْ قَالَ: فَأَنْشُدُكُمْ بِاللَّهِ وَالإِسْلاَمِ هَلْ تَعْلَمُونَ أَنِّي جَهَّزْتُ جَيْشَ الْعُسْرَةِ مِنْ مَالِي؟ قَالُوا: ٱللَّهُمَّ نَعَمْ قَالَ: فَأَنْشُدُكُمْ بِاللَّهِ وَالإِسْلاَمِ هَلْ تَعْلَمُونَ أَنَّ الْمَسْجِدَ ضَاقَ بِأَهْلِهِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ يَشْتَرِي بُقْعَةَ آلِ فُلاَنٍ فَيَزِيدُهَا فِي الْمَسْجِدِ بِخَيْرٍ لَهُ مِنْهَا فِي الْجَنَّةِ؟**» فَٱشْتَرَيْتُهَا مِنْ صُلْبِ مَالِي فَزِدْتُهَا فِي الْمَسْجِدِ وَأَنْتُمْ تَمْنَعُونِي أَنْ أُصَلِّي فِيهِ رَكْعَتَيْنِ قَالُوا: اللَّهُمَّ نَعَمْ قَالَ: أَنْشُدُكُمْ بِاللَّهِ وَالإِسْلاَمِ هَلْ تَعْلَمُونَ أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ عَلَى ثَبِيرِ ثَبِيرِ مَكَّةَ وَمَعَهُ أَبُو بَكْرٍ وَعُمَرُ وَأَنَا فَتَحَرَّكَ الْجَبَلُ فَرَكَضَهُ رَسُولُ ٱللَّهِ ﷺ بِرِجْلِهِ وقَالَ: «**ٱسْكُنْ ثَبِيرُ فَإِنَّمَا عَلَيْكَ نَبِيٌّ وصِدِّيقٌ وَشَهِيدَانِ**» قَالُوا: اللَّهُمَّ نَعَمْ قَالَ:

you'?" They said: "Yes, by Allah (we bear witness to that)." On that he said: "Allah is Greater! They bore witness to me, by the Lord of the Ka'bah, that I will be a martyr."

3608- It is narrated on the authority of Abu Salamah Ibn Abd Ar-Rahman that he said: When Uthman was besieged, he looked at the people from the window of his house and said: "I beseech by Allah a man who heard the Messenger of Allah "Allah's blessing and peace be upon him" having said on the day of the mountain, when it trembled, thereupon he kicked it and said: 'Be at rest, for none other than a Prophet, or a Truly Faithful Believer, or two martyrs are on you!' at that time, I was with him (on the mountain." Some people responded to his appeal (and bore witness in his favour). He said: "I beseech by Allah a man who saw the Messenger of Allah "Allah's blessing and peace be upon him" on the day (the Muslims swore) fealty which received Allah's Good Pleasure, and the Messenger of Allah "Allah's blessing and peace be upon him" said: 'This is the Hand of Allah, and this is the hand of Uthman.'" Some men responded to his appeal (and bore witness in his favour). He further said: "I beseech by Allah a man who heard the Messenger of Allah "Allah's blessing and peace be upon him" having said on the day of the army of Difficulty: 'Who could spend something to be accepted (by Allah)?' and I prepared half the army from my own wealth." Some men responded to his appeal (and bore witness in his favour). He said: "I beseech by Allah a man who heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: 'He, who increases the area of this mosque (with that piece of land) will have a house in the Garden ', and I purchased from my own wealth that (piece of land therewith I increased the area of the mosque)." Some men responded to his appeal (and bore witness in his favour). He said: "I beseech by Allah a man who saw the (well of) Rumah being sold, and I purchased it from my own wealth, and gave it in charity to the wayfarers." Some men responded to his appeal (and bore witness in his favour).

3609- It is narrated on the authority of Abu Abd Ar-Rahman As-Salami that when Uthman was besieged in his house, the people gathered around his house, and he looked at them from a window in his house…and the rest is the same.

ٱللَّهُ أَكْبَرُ شَهِدُوا لِي وَرَبِّ الْكَعْبَةِ يَعْنِي أَنِّي شَهِيدٌ.

3608 ـ أَخْبَرَنَا عِمْرَانُ بْنُ بَكَّارِ بْنِ رَاشِدٍ قَالَ: حَدَّثَنَا خَطَّابُ بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا عِيسَى بْنُ يُونُسَ حَدَّثَنِي أَبِي عَنْ أَبِي إِسْحَاقَ عَنْ أَبِي سَلَمَةَ بنِ عَبْدِ الرَّحْمٰنِ: أَنَّ عُثْمَانَ أَشْرَفَ عَلَيْهِمْ حِينَ حَصَرُوهُ فَقَالَ: أَنْشُدُ بِاللَّهِ رَجُلاً سَمِعَ مِنْ رَسُولِ ٱللَّهِ ﷺ يَقُولُ يَوْمَ الْجَبَلِ حِينَ ٱهْتَزَّ فَرَكَلَهُ بِرِجْلِهِ وَقَالَ: «**ٱسْكُنْ فَإِنَّهُ لَيْسَ عَلَيْكَ إِلاَّ نَبِيٌّ أَوْ صِدِّيقٌ أَوْ شَهِيدَانِ**» وَأَنَا مَعَهُ فَانْتَشَدَ لَهُ رِجَالٌ ثُمَّ قَالَ: أَنْشُدُ بِاللَّهِ رَجُلاً شَهِدَ رَسُولَ ٱللَّهِ ﷺ يَوْمَ بَيْعَةِ الرِّضْوَانِ يَقُولُ: «**هٰذِهِ يَدُ ٱللَّهِ وَهٰذِهِ يَدُ عُثْمَانَ**». فَانْتَشَدَ لَهُ رِجَالٌ ثُمَّ قَالَ: أَنْشُدُ بِاللَّهِ رَجُلاً سَمِعَ رَسُولَ ٱللَّهِ ﷺ يَوْمَ جَيْشِ الْعُسْرَةِ يَقُولُ: «**مَنْ يُنْفِقُ نَفَقَةً مُتَقَبَّلَةً؟**» فَجَهَّزْتُ نِصْفَ الْجَيْشِ مِنْ مَالِي فَانْتَشَدَ لَهُ رِجَالٌ ثُمَّ قَالَ: أَنْشُدُ بِاللَّهِ رَجُلاً سَمِعَ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**مَنْ يَزِيدُ فِي هٰذَا الْمَسْجِدِ بِبَيْتٍ فِي الْجَنَّةِ؟**» فَاشْتَرَيْتُهُ مِنْ مَالِي فَانْتَشَدَ لَهُ رِجَالٌ ثُمَّ قَالَ: أَنْشُدُ بِاللَّهِ رَجُلاً شَهِدَ رُومَةَ تُبَاعُ فَاشْتَرَيْتُهَا مِنْ مَالِي فَأَبَحْتُهَا لِابْنِ السَّبِيلِ فَانْتَشَدَ لَهُ رِجَالٌ.

3609 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ مَوْهَبٍ قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنِي أَبُو عَبْدِ الرَّحِيمِ قَالَ: حَدَّثَنِي زَيْدُ بْنُ أَبِي أُنَيْسَةَ عَنْ أَبِي إِسْحَاقَ عَنْ أَبِي عَبْدِ الرَّحْمٰنِ السَّلَمِيِّ قَالَ: لَمَّا حُصِرَ عُثْمَانُ فِي دَارِهِ ٱجْتَمَعَ النَّاسُ حَوْلَ دَارِهِ قَالَ: فَأَشْرَفَ عَلَيْهِمْ، وَسَاقَ الْحَدِيثَ.

(30) THE BOOK OF BEQUESTS

[1] It Is Undesirable To Defer The Bequest

3610- It is narrated on the authority of Abu Hurairah that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Which (object of) charity is greater in reward?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is to give in charity while you are still healthy and niggardly, fearing poverty, and hoping for survival, and do not wait until when it (the soul) reaches the throat (and you are on the threshold of death), you say: 'Give so and so such and such, and so and so will have such and such (property).'"

3611- It is narrated on the authority of Abdullah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Who among you to whom the property of his heir is dearer than his own property?" they said: "O Messenger of Allah! There is none of us, but that his own property is much dearer to him than the property of his heir." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, it should be known to you that there is none of you but that the property of his heir is dearer to him than his own property, for you own property is that which you send forward, and the property of your heir is that which you withhold (and keep with you until death)."

3612- It is narrated on the authority of Mutarrif from his father that The Messenger of Allah "Allah's blessing and peace be upon him" recited: " The mutual rivalry for piling up (wealth) diverts you (from the more serious things), Until you visit the graves." He said: "The son of Adam claims: My wealth, my wealth!" He (The Prophet) said: "O son of Adam! Is there anything as your belonging except that which you consumed, which you utilized, or which you wore and then it was worn out or you gave as charity and sent it forward?"

3613- It is narrated on the authority of Abu Habibah At-Ta'i that a man bequeathed that some Dinars should be given in Allah's Cause, and when Abu Ad-Darda' was asked about that, he related from The Messenger of Allah "Allah's blessing and peace be upon him" that he said: "The example of such as emancipates (a slave) or gives in charity while being at the threshold of death is like the example of such as gives a gift after having been satisfied."

3614- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is

(30) ـ كِتَابُ الوَصَايَا

(1) ـ الكَرَاهِيَةُ فِي تَأْخِيرِ الوَصِيَّةِ

3610 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ عَنْ عُمَارَةَ عَنْ أَبِي زُرْعَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَيُّ الصَّدَقَةِ أَعْظَمُ أَجْراً؟ قَالَ: **«أَنْ تَصَدَّقَ وَأَنْتَ صَحِيحٌ شَحِيحٌ تَخْشَى الْفَقْرَ وَتَأْمُلُ الْبَقَاءَ وَلاَ تُمْهِلَ حَتَّى إِذَا بَلَغَتِ الْحُلْقُومَ قُلْتَ لِفُلاَنٍ كَذَا وَقَدْ كَانَ لِفُلاَنٍ»**.

3611 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ أَبِي مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ إِبْرَاهِيمَ التَّيْمِيِّ عَنِ الحَارِثِ بْنِ سُوَيْدٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أَيُّكُمْ مَالُ وَارِثِهِ أَحَبُّ إِلَيْهِ مِنْ مَالِهِ؟»** قَالُوا: يا رَسُولَ ٱللَّهِ مَا مِنَّا مِنْ أَحَدٍ إِلاَّ مَالُهُ أَحَبُّ إِلَيْهِ مِنْ مَالِ وَارِثِهِ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«اعْلَمُوا أَنَّهُ لَيْسَ مِنْكُمْ مِنْ أَحَدٍ إِلاَّ مَالُ وَارِثِهِ أَحَبُّ إِلَيْهِ مِنْ مَالِهِ مَالُكَ مَا قَدَّمْتَ وَمَالُ وَارِثِكَ مَا أَخَّرْتَ»**.

3612 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ عَنْ مُطَرِّفٍ عَنْ أَبِيهِ عَنِ النَّبِيِّ ﷺ قَالَ: ﴿أَلْهَىٰكُمُ ٱلتَّكَاثُرُ ۝١ حَتَّىٰ زُرْتُمُ ٱلْمَقَابِرَ﴾ [التكاثر، الآيتان: 1، 2] قَالَ: **«يَقُولُ ٱبْنُ آدَمَ: مَالِي مَالِي وَإِنَّمَا مَالُكَ مَا أَكَلْتَ فَأَفْنَيْتَ أَوْ لَبِسْتَ فَأَبْلَيْتَ أَوْ تَصَدَّقْتَ فَأَمْضَيْتَ»**.

3613 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: سَمِعْتُ أَبَا إِسْحَاقَ سَمِعَ أَبَا حَبِيبَةَ الطَّائِيَّ قَالَ: أَوْصَى رَجُلٌ بِدَنَانِيرَ فِي سَبِيلِ ٱللَّهِ فَسُئِلَ أَبُو الدَّرْدَاءِ فَحَدَّثَ عَنِ النَّبِيِّ ﷺ قَالَ: **«مَثَلُ الَّذِي يَعْتِقُ أَوْ يَتَصَدَّقُ عِنْدَ مَوْتِهِ مَثَلُ الَّذِي يُهْدِي بَعْدَ مَا يَشْبَعُ»**.

3614 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا الْفُضَيْلُ عَنْ عُبَيْدِ ٱللَّهِ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَا حَقُّ ٱمْرِىءٍ مُسْلِمٍ لَهُ شَيْءٌ**

incumbent upon a Muslim person who has something concerning which a bequest should be made not to spend two nights without his bequest being written and placed with him."

3615- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is incumbent upon a Muslim person who has something concerning which a bequest should be made not to spend two nights without his bequest being written and placed with him."

3616- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said the same.

3617- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is incumbent upon a Muslim not to spend three nights without his bequest being (written and) placed with him." Abdullah Ibn Umar said: Since I heard that from The Messenger of Allah "Allah's blessing and peace be upon him", I've never spent (three nights) but that my bequest is placed with me."

3618- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is incumbent upon a Muslim person who has something concerning which a bequest should be made not to spend three nights without his bequest being written and placed with him."

[2] Has The Prophet "Peace Be Upon Him" Made A Bequest?

3619- It is narrated on the authority of Talhah that he said: I asked Ibn Abu Awfa: "Has The Messenger of Allah "Allah's blessing and peace be upon him" made a bequest?" he answered in the negative. I further asked: "Then, how has he made incumbent upon the Muslims to make bequests?" he said: "He has bequeathed of Allah's Book (to be acted upon)."

3620- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" left no Dinar nor Dirham, nor sheep nor camel (to be inherited), nor did he make a bequest.

3621- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" left no Dirham nor Dinar, nor sheep nor camel (to be inherited), nor did he make a bequest.

3622- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" left no Dinar nor Dirham, nor sheep nor camel (to be inherited), nor did he make a bequest.

يُوصَى فِيهِ أَنْ يَبِيتَ لَيْلَتَيْنِ إِلاَّ وَوَصِيَّتُهُ مَكْتُوبَةٌ عِنْدَهُ».

3615 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنَا ٱبْنُ الْقَاسِمِ عَنْ مَالِكٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«مَا حَقُّ ٱمْرِىءٍ مُسْلِمٍ لَهُ شَيْءٌ يُوصَى فِيهِ يَبِيتُ لَيْلَتَيْنِ إِلاَّ وَوَصِيَّتُهُ مَكْتُوبَةٌ عِنْدَهُ».**

3616 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمِ بْنِ نُعَيْمٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ عَنِ ٱبْنِ عَوْنٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَوْلَهُ.

3617 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ قَالَ: فَإِنَّ سَالِماً أَخْبَرَنِي عَنْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَا حَقُّ ٱمْرِىءٍ مُسْلِمٍ تَمُرُّ عَلَيْهِ ثَلاَثُ لَيَالٍ إِلاَّ وَعِنْدَهُ وَصِيَّتُهُ».** قَالَ عَبْدُ ٱللَّهِ بْنُ عُمَرَ: مَا مَرَّتْ عَلَيَّ مُنْذُ سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ قَالَ ذٰلِكَ إِلاَّ وَعِنْدِي وَصِيَّتِي.

3618 ـ أَخْبَرَنَا أَحْمَدُ بْنُ يَحْيَى بْنِ الْوَزِيرِ بْنِ سُلَيْمَانَ قَالَ: سَمِعْتُ ٱبْنَ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ وَعَمْرُو بْنِ الْحَارِثِ عَنِ ٱبْنِ شِهَابٍ عَنْ سَالِمِ بْنِ عَبْدِ ٱللَّهِ عَنْ أَبِيهِ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«مَا حَقُّ ٱمْرِىءٍ مُسْلِمٍ لَهُ شَيْءٌ يُوصَى فِيهِ فَيَبِيتُ ثَلاَثَ لَيَالٍ إِلاَّ وَوَصِيَّتُهُ عِنْدَهُ مَكْتُوبَةٌ».**

(2) ـ هل أَوْصَى النَّبِيُّ ﷺ؟

3619 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدُ بْنُ الْحَارِثِ قَالَ: حَدَّثَنَا مَالِكُ بْنُ مِغْوَلٍ قَالَ: حَدَّثَنَا طَلْحَةُ قَالَ: سَأَلْتُ ٱبْنَ أَبِي أَوْفَى أَوْصَى رَسُولُ ٱللَّهِ ﷺ قَالَ: لاَ قُلْتُ: كَيْفَ كُتِبَ عَلَى الْمُسْلِمِينَ الْوَصِيَّةُ؟ قَالَ: أَوْصَى بِكِتَابِ ٱللَّهِ.

3620 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ قَالَ: حَدَّثَنَا مُفَضَّلٌ عَنِ الأَعْمَشِ وَأَنْبَأَنَا مُحَمَّدُ بْنُ الْعَلاَءِ وَأَحْمَدُ بْنُ حَرْبٍ قَالاَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ شَقِيقٍ عَنْ مَسْرُوقٍ عَنْ عَائِشَةَ قَالَتْ: «مَا تَرَكَ رَسُولُ ٱللَّهِ ﷺ دِينَاراً وَلاَ دِرْهَماً وَلاَ شَاةً وَلاَ بَعِيراً وَلاَ أَوْصَى بِشَيْءٍ».

3621 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ رَافِعٍ حَدَّثَنَا مُصْعَبٌ حَدَّثَنَا دَاوُدُ عَنِ الأَعْمَشِ عَنْ شَقِيقٍ عَنْ مَسْرُوقٍ عَنْ عَائِشَةَ قَالَتْ: «مَا تَرَكَ رَسُولُ ٱللَّهِ ﷺ دِرْهَماً وَلاَ دِينَاراً وَلاَ شَاةً وَلاَ بَعِيراً وَمَا أَوْصَى».

3622 ـ أَخْبَرَنَا جَعْفَرُ بْنُ مُحَمَّدِ بْنِ الْهُذَيْلِ وَأَحْمَدُ بْنُ يُوسُفَ قَالاَ: حَدَّثَنَا عَاصِمُ بْنُ يُوسُفَ قَالَ: حَدَّثَنَا حَسَنُ بْنُ عَيَّاشٍ عَنِ الأَعْمَشِ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ قَالَتْ: «مَا تَرَكَ رَسُولُ ٱللَّهِ ﷺ دِرْهَماً وَلاَ دِينَاراً وَلاَ شَاةً وَلاَ بَعِيراً وَلاَ أَوْصَى». لَمْ يَذْكُرْ جَعْفَرٌ دِينَاراً وَلاَ دِرْهَماً.

3623- It is narrated on the authority of A'ishah that she said: They say that The Messenger of Allah "Allah's blessing and peace be upon him" make a bequest to Ali (to be his successor): however, he asked for a bowl to urinate, and then he "Allah's blessing and peace be upon him" broke down (and died) even though I felt not: to whom (and when) did The Messenger of Allah "Allah's blessing and peace be upon him" make his bequest?

3624- It is narrated on the authority of A'ishah that she said: When The Messenger of Allah "Allah's blessing and peace be upon him" died, none was with him barring me; and (a short while before his death) he asked for a bowl (to urinate).

[3] The Bequest Should Be With One-Third The Property

3625- It is narrated on the authority of Amir Ibn Sa'd from his father that he said: I fell ill and was about to die as a result of that disease. The Messenger of Allah "Allah's blessing and peace be upon him" came to visit me (and enquire about my health). I said: "O Allah's Apostle! I am a rich man and have no heir except my only daughter. Shall I give two-thirds of my property in charity?" He said: "No." I said: "Shall I then give one half of it in charity?" He said: "No." I said: "Shall I then give one-third my property in charity?" he said: "(Give) one-third (in charity); and even one-third is too much. No doubt, it is better to leave your heirs rich than to leave them poor, begging from others."

3626- It is narrated on the authority of Amir Ibn Sa'd from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came to visit me (and enquire about my health) while I was in Mecca. I said: "O Allah's Apostle! Shall I make a bequest that my property (be given in charity)?" He said: "No." I said: "Shall I then give one half of it?" He said: "No." I said: "Shall I then give one-third my property?" he said: "(Give) one-third (in charity); and even one-third is too much. No doubt, it is better to leave your heirs rich than to leave them poor, begging from others, i.e. from what they have in their hands."

3627- It is narrated on the authority of Amir Ibn Sa'd that The Messenger of Allah "Allah's blessing and peace be upon him" came to visit him (and enquire about his health) while being in Mecca, and he disliked to die in the very land, from which he emigrated (in Allah's Cause). The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah's Mercy be upon Sa'd Ibn Afra'!" I said: "O Allah's Apostle! Shall I make a bequest that my property (be given in charity)?" He said: "No." I said: "Shall I then give one half of it?" He said: "No." I said: "Shall I then give one-third my

3623 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا أَزْهَرُ قَالَ: أَنْبَأَنَا ٱبْنُ عَوْنٍ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ قَالَتْ: «يَقُولُونَ إِنَّ رَسُولَ ٱللَّهِ ﷺ أَوْصَى إِلَى عَلِيٍّ رَضِيَ ٱللَّهُ عَنْهُ لَقَدْ دَعَا بِالطَّسْتِ لِيَبُولَ فِيهَا فَٱنْخَنَثَتْ نَفْسُهُ ﷺ وَمَا أَشْعُرُ فَإِلَى مَنْ أَوْصَى؟».

3624 ـ أَخْبَرَنِي أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا عَارِمٌ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنِ ٱبْنِ عَوْنٍ عَنْ إِبْرَاهِيمَ عَنِ الأَسْوَدِ عَنْ عَائِشَةَ قَالَتْ: «تُوُفِّيَ رَسُولُ ٱللَّهِ ﷺ وَلَيْسَ عِنْدَه أَحَدٌ غَيْرِي قَالَتْ: وَدَعَا بِالطَّسْتِ».

(3) ـ بَابُ الوَصِيَّةِ بِالثُّلُثِ

3625 ـ أَخْبَرَنِي عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ عَامِرِ بْنِ سَعْدٍ عَنْ أَبِيهِ قَالَ: مَرِضْتُ مَرَضاً أَشْفَيْتُ مِنْهُ فَأَتَانِي رَسُولُ ٱللَّهِ ﷺ يَعُودُنِي فَقُلْتُ: يَا رَسُولَ ٱللَّهِ إِنَّ لِي مَالاً كَثِيراً وَلَيْسَ يَرِثُنِي إِلاَّ ٱبْنَتِي أَفَأَتَصَدَّقُ بِثُلُثَيْ مَالِي؟ قَالَ: «لاَ» قُلْتُ: فَالشَّطْرَ؟ قَالَ: «لاَ» قُلْتُ: فَالثُّلُثَ؟ قَالَ: **«الثُّلُثَ وَالثُّلُثُ كَثِيرٌ إِنَّكَ أَنْ تَتْرُكَ وَرَثَتَكَ أَغْنِيَاءَ خَيْرٌ لَهُمْ مِنْ أَنْ تَتْرُكَهُمْ عَالَةً يَتَكَفَّفُونَ النَّاسَ»**.

3626 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ وَأَحْمَدُ بْنُ سُلَيْمَانَ وَاللَّفْظُ لأَحْمَدَ قَالاَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ سَعْدِ بْنِ إِبْرَاهِيمَ عَنْ عَامِرِ بْنِ سَعْدٍ عَنْ سَعْدٍ قَالَ: جَاءَنِي النَّبِيُّ ﷺ يَعُودُنِي وَأَنَا بِمَكَّةَ قُلْتُ: يَا رَسُولَ ٱللَّهِ أُوصِي بِمَالِي كُلِّهِ؟ قَالَ: «لاَ» قُلْتُ: فَالشَّطْرَ؟ قَالَ: «لاَ» قُلْتُ: فَالثُّلُثَ؟ قَالَ: **«الثُّلُثَ وَالثُّلُثُ كَثِيرٌ إِنَّكَ أَنْ تَدَعَ وَرَثَتَكَ أَغْنِيَاءَ خَيْرٌ مِنْ أَنْ تَدَعَهُمْ عَالَةً يَتَكَفَّفُونَ النَّاسَ يَتَكَفَّفُونَ فِي أَيْدِيهِمْ»**.

3627 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ سَعْدِ بْنِ إِبْرَاهِيمَ عَنْ عَامِرِ بْنِ سَعْدٍ عَنْ أَبِيهِ قَالَ: كَانَ النَّبِيُّ ﷺ يَعُودُهُ وَهُوَ بِمَكَّةَ وَهُوَ يَكْرَهُ أَنْ يَمُوتَ بِالأَرْضِ الَّذِي هَاجَرَ مِنْهَا قَالَ النَّبِيُّ ﷺ: **«رَحِمَ ٱللَّهُ سَعْدَ بْنَ عَفْرَاءَ»** أَوْ: **«يَرْحَمُ ٱللَّهُ سَعْدَ بْنَ عَفْرَاءَ»** وَلَمْ يَكُنْ لَهُ إِلاَّ ٱبْنَةٌ وَاحِدَةٌ قَالَ: يَا رَسُولَ ٱللَّهِ أُوصِي بِمَالِي كُلِّهِ؟ قَالَ: «لاَ» قُلْتُ: النِّصْفَ؟ قَالَ: «لاَ» قُلْتُ: فَالثُّلُثَ؟

property?" he said: "(Give) one-third (in charity); and even one-third is too much. No doubt, it is better to leave your heirs rich than to leave them poor, begging from others, i.e. from what they have in their hands."

3628- It is narrated on the authority of Sa'd Ibn Ibrahim that he said: One of Sa'd's family told me: The Messenger of Allah "Allah's blessing and peace be upon him" Came to visit Sa'd, and Sa'd said to him: "O Messenger of Allah! Should I make a bequest that the whole of my property (be given in charity)?" he answered in the negative...and the rest is the same.

3629- It is narrated on the authority of Amir Ibn Sa'd from his father that he fell ill (in Mecca), and The Messenger of Allah "Allah's blessing and peace be upon him" came to visit him (and enquire about his health), and when he saw him, he said: "Should I die in the very land from which I migrated?" he said: "No, Allah Willing." He further said: "Should I bequeath the whole of my property (to be given in charity) in Allah's' Cause?" he said: "No." he said: "Then, let it be two-thirds!" he said: "No." he said: "Then, let it be a half!" he said: "No." he said: "Then, let it be one-third!" The Messenger of Allah "Allah's blessing and peace be upon him" said: "(Give) one-third (in charity); and even one-third is too much. No doubt, it is better to leave your children rich than to leave them poor, begging from others."

3630- It is narrated on the authority of Sa'd Ibn Abu Waqqas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came to visit me (and enquire about my health) when I fell ill. He asked me: "Have you made a bequest?" I answered in the affirmative. He said: "How much (of your property have you bequeathed)?" I said: "The whole of my property." He asked: "Then, what have you left for your dependents?" I said: "They are not in need." He said: "Make a bequest only with one-tenth (your property)!" he kept saying, and I kept asking for increase until he said: "Bequeath one-third (your property), and even though one-third is so much."

3631- It is narrated on the authority of Sa'd that The Messenger of Allah "Allah's blessing and peace be upon him" came to visit him (and enquire about his health) when he fell ill. he asked him: "O Messenger of Allah! Should I bequeath the whole of my property (to be given in Allah's Cause)?" he answered in the negative. He said: "Then, let it be a half of it!" he answered in the negative. He said: "Then, let it be one-third!" he said: "Let it be one-third, even though one-third is so much."

3632- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" came to visit Sa'd (and enquire about his health), thereupon he said to him: "O Messenger of Allah!

قَالَ: «**الثُّلُثُ وَالثُّلُثُ كَثِيرٌ إِنَّكَ أَنْ تَدَعَ وَرَثَتَكَ أَغْنِيَاءَ خَيْرٌ مِنْ أَنْ تَدَعَهُمْ عَالَةً يَتَكَفَّفُونَ النَّاسَ يَتَكَفَّفُونَ فِي أَيْدِيهِمْ**».

3628 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا مِسْعَرٌ عَنْ سَعْدِ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنِي بَعْضُ آلِ سَعْدٍ قَالَ: مَرِضَ سَعْدٌ فَدَخَلَ رَسُولُ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ أُوصِي بِمَالِي كُلِّهِ؟ قَالَ: «**لاَ**» وَسَاقَ الْحَدِيثَ.

3629 ـ أَخْبَرَنَا الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ قَالَ: حَدَّثَنَا عَبْدُ الْكَبِيرِ بْنُ عَبْدِ الْمَجِيدِ قَالَ: حَدَّثَنَا بُكَيْرُ بْنُ مِسْمَارٍ قَالَ: سَمِعْتُ عَامِرَ بْنَ سَعْدٍ عَنْ أَبِيهِ أَنَّهُ ٱشْتَكَى بِمَكَّةَ فَجَاءَهُ رَسُولُ ٱللَّهِ ﷺ فَلَمَّا رَآهُ سَعْدٌ بَكَى وَقَالَ: يَا رَسُولَ ٱللَّهِ أَمُوتُ بِالأَرْضِ الَّتِي هَاجَرْتَ مِنْهَا؟ قَالَ: «**لاَ إِنْ شَاءَ ٱللَّهُ**» وَقَالَ: يَا رَسُولَ ٱللَّهِ أُوصِي بِمَالِي كُلِّهِ فِي سَبِيلِ ٱللَّهِ؟ قَالَ: «**لاَ**» قَالَ: يَعْنِي بِثُلُثَيْهِ؟ قَالَ: «**لاَ**» قَالَ: فَنِصْفَهُ؟ قَالَ: «**لاَ**» قَالَ: فَثُلُثَهُ؟ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**الثُّلُثُ وَالثُّلُثُ كَثِيرٌ إِنَّكَ أَنْ تَتْرُكَ بَنِيكَ أَغْنِيَاءَ خَيْرٌ مِنْ أَنْ تَتْرُكَهُمْ عَالَةً يَتَكَفَّفُونَ النَّاسَ**».

3630 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا جَرِيرٌ عَنْ عَطَاءِ بْنِ السَّائِبِ عَنْ أَبِي عَبْدِ الرَّحْمٰنِ عَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ قَالَ: عَادَنِي رَسُولُ ٱللَّهِ ﷺ فِي مَرَضِي فَقَالَ: «**أَوْصَيْتَ؟**» قُلْتُ: نَعَمْ قَالَ: «**بِكَمْ؟**» قُلْتُ: بِمَالِي كُلِّهِ فِي سَبِيلِ ٱللَّهِ قَالَ: «**فَمَا تَرَكْتَ لِوَلَدِكَ؟**» قُلْتُ: هُمْ أَغْنِيَاءُ قَالَ: «**أَوْصِ بِالْعُشْرِ**» فَمَا زَالَ يَقُولُ وَأَقُولُ حَتَّى قَالَ: «**أَوْصِ بِالثُّلُثِ وَالثُّلُثُ كَثِيرٌ أَوْ كَبِيرٌ**».

3631 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا وَكِيعٌ قَالَ: حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ عَنْ أَبِيهِ عَنْ سَعْدٍ: أَنَّ النَّبِيَّ ﷺ عَادَهُ فِي مَرَضِهِ فَقَالَ: يَا رَسُولَ ٱللَّهِ أُوصِي بِمَالِي كُلِّهِ؟ قَالَ: «**لاَ**» قَالَ: فَالشَّطْرَ؟ قَالَ: «**لاَ**» قَالَ: فَالثُّلُثَ؟ قَالَ: «**الثُّلُثُ وَالثُّلُثُ كَثِيرٌ أَوْ كَبِيرٌ**».

3632 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْوَلِيدِ الْفَحَّامُ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ رَبِيعَةَ قَالَ: حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ أَتَى سَعْداً يَعُودُهُ فَقَالَ لَهُ سَعْدٌ:

Should I bequeath two-thirds my property (to be given in Allah's Cause?" he answered in the negative. He asked: "Then, should I bequeath half of it?" he answered in the negative. He further asked: "Then, should I bequeath one-third?" he said: "Let it be one-third, even though one-third is so much. No doubt, it is better to leave your heirs rich than to leave them poor, begging from others."

3633- It is narrated on the authority of Ibn Abbas that he said: If the people reduce (their bequests to no more than) one-fourth (their property, it would be better), for The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let it be one-third, even though one-third is so much."

3634- It is narrated on the authority of Muhammad Ibn Sa'd from his father Sa'd Ibn Malik that The Messenger of Allah "Allah's blessing and peace be upon him" came to visit him (and enquire about his health), while he was ill. he said: "I have only one daughter: should I bequeath the whole of my property (to be given in Allah's Cause)?" The Messenger of Allah "Allah's blessing and peace be upon him" answered in the negative. He said: "Then, should I bequeath half of it (to be given in Allah's Cause)?" The Messenger of Allah "Allah's blessing and peace be upon him" answered in the negative. He said: "Then, should I bequeath one-third?" he said: "Let it be one-third, even though one-third is so much."

3635- It is narrated on the authority of Jabir Ibn Abdullah that his father was martyred on the day of (the holy battle of) Uhud, and left six daughters and he was in debt. When it was time for plucking the fruits of the date-palms, (and he resumed) I went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "You've known that my father was martyred on the day of (the holy battle of) Uhud, and he left so much debt to be fulfilled, and I like that the creditors should see you." He said: "Go, and place every kind of dates in a pile in one side (of the garden)." I did accordingly, and then I invited him. When they (the creditors) looked at the (dates), they seemed to have been tempted against me at that time. When The Messenger of Allah "Allah's blessing and peace be upon him" saw what they were doing, he went round the most huge pile of the dates three times, over which he sat down and said to me: "Invite your creditors." He kept weighing for them (their due) until Allah Almighty helped the debt of my father to be fulfilled, and I was well-pleased to have the debt of my father fulfilled (if no fruit remained) even though no fruit decreased.

يَا رَسُولَ ٱللَّهِ أُوصِي بِثُلُثَيْ مَالِي؟ قَالَ: «**لاَ**» قَالَ: فَأُوصِي بِالنِّصْفِ؟ قَالَ: «**لاَ**» قَالَ: فَأُوصِي بِالثُّلُثِ؟ قَالَ: «**نَعَمْ الثُّلُث وَالثُّلُثُ كَثِيرٌ أَوْ كَبِيرٌ إِنَّكَ أَنْ تَدَعَ وَرَثَتَكَ أَغْنِيَاءَ خَيْرٌ مِنْ أَنْ تَدَعَهُمْ فُقَرَاءَ يَتَكَفَّفُونَ**».

3633 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: لَوْ غَضَّ النَّاسُ إِلَى الرُّبُعِ لأَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**الثُّلُثَ وَالثُّلُثُ كَثِيرٌ أَوْ كَبِيرٌ**».

3634 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا حَجَّاجُ بْنُ الْمِنْهَالِ قَالَ: حَدَّثَنَا هَمَّامٌ عَنْ قَتَادَةَ عَنْ يُونُسَ بْنِ جُبَيْرٍ عَنْ مُحَمَّدِ بْنِ سَعْدٍ عَنْ أَبِيهِ سَعْدِ بْنِ مَالِكٍ: أَنَّ النَّبِيَّ ﷺ جَاءَهُ وَهُوَ مَرِيضٌ فَقَالَ: إِنَّهُ لَيْسَ لِي وَلَدٌ إِلاَّ ٱبْنَةٌ وَاحِدَةٌ فَأُوصِي بِمَالِي كُلِّهِ؟ قَالَ النَّبِيُّ ﷺ: «**لاَ**» قَالَ: فَأُوصِي بِنِصْفِهِ؟ قَالَ النَّبِيُّ ﷺ: «**لاَ**» قَالَ: فَأُوصِي بِثُلُثِهِ؟ قَالَ: «**الثُّلُثَ وَالثُّلُثُ كَثِيرٌ**».

3635 ـ أَخْبَرَنَا الْقَاسِمُ بْنُ زَكَرِيَّا بْنِ دِينَارٍ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ عَنْ شَيْبَانَ عَنْ فِرَاسٍ عَنِ الشَّعْبِيِّ قَالَ: حَدَّثَنِي جَابِرُ بْنُ عَبْدِ ٱللَّهِ: أَنَّ أَبَاهُ ٱسْتُشْهِدَ يَوْمَ أُحُدٍ وَتَرَكَ سِتَّ بَنَاتٍ وَتَرَكَ عَلَيْهِ دَيْناً فَلَمَّا حَضَرَ جُدَادُ النَّخْلِ أَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقُلْتُ: قَدْ عَلِمْتَ أَنَّ وَالِدِي ٱسْتُشْهِدَ يَوْمَ أُحُدٍ وَتَرَكَ دَيْناً كَثِيراً وَإِنِّي أُحِبُّ أَنْ يَرَاكَ الْغُرَمَاءُ قَالَ: «**ٱذْهَبْ فَبَيْدِرْ كُلَّ تَمْرٍ عَلَى نَاحِيَةٍ**» فَفَعَلْتُ ثُمَّ دَعَوْتُهُ فَلَمَّا نَظَرُوا إِلَيْهِ كَأَنَّمَا أُغِرُوا بِي تِلْكَ السَّاعَةَ فَلَمَّا رَأَى مَا يَصْنَعُونَ أَطَافَ حَوْلَ أَعْظَمِهَا بيدْراً ثَلاَثَ مَرَّاتٍ ثُمَّ جَلَسَ عَلَيْهِ ثُمَّ قَالَ: «**ٱدْعُ أَصْحَابَكَ**» فَمَا زَالَ يَكِيلُ لَهُمْ حَتَّى أَدَّى ٱللَّهُ أَمَانَةَ وَالِدِي وَأَنَا رَاضٍ أَنْ يُؤَدِّيَ ٱللَّهُ أَمَانَةَ وَالِدِي لَمْ تَنْقُصْ تَمْرَةٌ وَاحِدَةٌ.

[4] Fulfilling The Debt Before Giving The Wealth To The Heirs

3636- It is narrated on the authority of Jabir that his father died and he was in debt. He said: I went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My father died, and he was indebt, and he left nothing except the yield of his date-palms, which is too insufficient to fulfill his debt unless it is given for many years. So, please, O Messenger of Allah, come with me, lest the creditors would behave offensively against me." Allah's Apostle "Allah's blessing and peace be upon him" came, and went round every pile of dates, asking for Allah's Peace, and invoking good. Then, he sat over which and invited the creditors, and gave them their due in full, with the like of what they took remaining.

3637- It is narrated on the authority of Jabir that he said: Abdullah Ibn Amr Ibn Haram (my father) died, and he was in debt. I asked The Messenger of Allah "Allah's blessing and peace be upon him" to use his good offices with the creditors to have my creditors reduce anything from their due, and he required them to do, but they rejected. The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Go and classify your dates (In heaps) according to their different kinds: the date-paste (the best kind of dates in Medina) on one side, the cluster of Zaid (a bad kind of dates) on another side, etc. Then call me." I did accordingly, and The Prophet "Allah's blessing and peace be upon him came and sat at the head or in the middle of the heaps and ordered me: "Weigh (the dates) for the people (creditors)." I weighed for them till I paid all the debts. My dates remained as if nothing had been taken from them.

3638- It is narrated on the authority of Jabir Ibn Abdullah that he said: My father owed a Jew some dates, and he (my father) was killed on the day of (the holy battle of) Uhud, and left two gardens, and the dates of the Jew was to take up all the yield of the two gardens. The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Would you take half of your dates this year, and defer the remaining half to the next year?" he answered in the negative. The Messenger of Allah "Allah's blessing and peace be upon him" said (to Jabir): "Then, would you start plucking the fruits now? Notify me (when it is time for that)." I notified him, and he and Abu Bakr came, and we went on plucking and weighing (for the Jew) from the lower portion of the date-palms, while The Messenger of Allah "Allah's blessing and peace be upon him" was invoking blessing until his due was given to him in full from the smaller of both gardens, as Ammar (a sub-narrator thought). I brought fresh dates and water for them, and they ate and drank and then Allah's

(4) ـ بابُ قَضَاءِ الدَّيْنِ قَبْلَ المِيرَاثِ
وذِكْرِ اخْتِلافِ أَلْفَاظِ النَّاقِلِينَ لخَبَرِ جَابِرٍ فيه

3636 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ مُحَمَّدِ بْنِ سَلاَّمٍ قَالَ: حَدَّثَنَا إِسْحَاقُ وَهُوَ الأَزْرَقُ قَالَ: حَدَّثَنَا زَكَرِيَّا عَنِ الشَّعْبِيِّ عَنْ جَابِرٍ: أَنَّ أَبَاهُ تُوُفِّيَ وَعَلَيْهِ دَيْنٌ فَأَتَيْتُ النَّبِيَّ ﷺ فَقُلْتُ: يَا رَسُولَ ٱللَّهِ إِنَّ أَبِي تُوُفِّيَ وَعَلَيْهِ دَيْنٌ وَلَمْ يَتْرُكْ إِلاَّ مَا يُخْرِجُ نَخْلُهُ وَلاَ يَبْلُغُ مَا يُخْرِجُ نَخْلُهُ مَا عَلَيْهِ مِنَ الدَّيْنِ دُونَ سِنِينَ فَانْطَلِقْ مَعِي يَا رَسُولَ ٱللَّهِ لِكَيْ لاَ يَفْحَشُ عَلَيَّ الْغُرَّامُ فَأَتَى رَسُولُ ٱللَّهِ ﷺ يَدُورُ بَيْدراً بَيْدَراً فَسَلَّمَ حَوْلَهُ وَدَعَا لَهُ ثُمَّ جَلَسَ عَلَيْهِ وَدَعَا الْغُرَّامَ فَأَوْفَاهُمْ وَبَقِيَ مِثْلُ مَا أَخَذُوا.

3637 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مُغِيرَةَ عَنِ الشَّعْبِيِّ عَنْ جَابِرٍ قَالَ: تُوُفِّيَ عَبْدِ ٱللَّهِ بْنُ عَمْرِو بْنِ حَرَامٍ: وَتَرَكَ دَيْناً فَاسْتَشْفَعْتُ بِرَسُولِ ٱللَّهِ ﷺ عَلَى غُرَمَائِهِ أَنْ يَضَعُوا مِنْ دَيْنِهِ شَيْئاً فَطَلَبَ إِلَيْهِمْ فَأَبَوْا فَقَالَ لِي النَّبِيُّ ﷺ: **«اذْهَبْ فَصَنِّفْ تَمْرَكَ أَصْنَافاً الْعَجْوَةَ عَلَى حِدَةٍ وَعِذْقَ ٱبْنَ زَيْدٍ عَلَى حِدَةٍ وَأَصْنَافَهُ ثُمَّ ٱبْعَثْ إِلَيَّ»** قَالَ: فَفَعَلْتُ فَجَاءَ رَسُولُ ٱللَّهِ ﷺ فَجَلَسَ فِي أَعْلاَهُ أَوْ فِي أَوْسَطِهِ ثُمَّ قَالَ: **«كِلْ لِلْقَوْمِ»** قَالَ: فَكِلْتُ لَهُمْ حَتَّى أَوْفَيْتُهُمْ ثُمَّ بَقِيَ تَمْرِي كَأَنْ لَمْ يَنْقُصْ مِنْهُ شَيْءٌ.

3638 ـ أَخْبَرَنَا إِبْرَاهِيمُ بْنُ يُونُسَ بْنِ مُحَمَّدٍ حَرَمِيٌّ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ عَمَّارِ بْنِ أَبِي عَمَّارٍ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ قَالَ: كَانَ لِيَهُودِيٍّ عَلَى أَبِي تَمْرٌ فَقُتِلَ يَوْمَ أُحُدٍ وَتَرَكَ حَدِيقَتَيْنِ وَتَمْرُ الْيَهُودِيِّ يَسْتَوْعِبُ مَا فِي الْحَدِيقَتَيْنِ فَقَالَ النَّبِيُّ ﷺ: **«هَلْ لَكَ أَنْ تَأْخُذَ الْعَامَ نِصْفَهُ وَتُؤَخِّرَ نِصْفَهُ؟»** فَأَبَى الْيَهُودِيُّ فَقَالَ النَّبِيُّ ﷺ: **«هَلْ لَكَ أَنْ تَأْخُذَ الْجُدَادَ؟ فَآذِنِّي»**. فَآذَنْتُهُ فَجَاءَ هُوَ وَأَبُو بَكْرٍ فَجَعَلَ يُجَدُّ وَيُكَالُ مِنْ أَسْفَلِ النَّخْلِ وَرَسُولُ ٱللَّهِ ﷺ يَدْعُو بِالْبَرَكَةِ حَتَّى وَفَيْنَاهُ جَمِيعَ حَقِّهِ مِنْ أَصْغَرِ الْحَدِيقَتَيْنِ فِيمَا يَحْسِبُ عَمَّارٌ ثُمَّ أَتَيْتُهُمْ بِرُطَبٍ وَمَاءٍ فَأَكَلُوا وَشَرِبُوا ثُمَّ

Apostle "Allah's blessing and peace be upon him" said: "Those are of the bliss about which you are going to be asked (on the Day of Judgement)."

3639- It is narrated on the authority of Jabir Ibn Abdullah that he said: My father died, and he was in debt. I proposed that my creditors should take the fruits (of the date-palms) in return for their debts, but they refused on the basis that this would not fulfill their debts. I went to The Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him, thereupon he said: "When you pluck the fruits and gather the yield in the date-drying place, notify me." When I plucked the fruits and gathered the yield in the date-drying place, I came to The Messenger of Allah "Allah's blessing and peace be upon him" (and notified him). He came in the company of Abu Bakr and Umar, and he sat over it, and invoked blessing upon it. Then he said: "Invite your creditors and give them their due in full." I've never left anyone whom my father owed a debt but that I fulfilled his debt, with thirteen Wasaqs (of dates) remaining. When I made a mention of that to him he smiled and said: "Go to Abu Bakr and Umar and tell them of that." I came to Abu Bakr and Umar and told them of that, thereupon they said: "Since The Messenger of Allah "Allah's blessing and peace be upon him" did what he had done, we have come to know that this (which has happened) would be so."

[5] There Is No Bequest For An Heir

3640- It is narrated on the authority of Amr Ibn Kharijah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" addressed the people saying: "No doubt, Allah Almighty has given everyone having a right his due, in the sense that there is no bequest for an heir."

3641- It is narrated on the authority of Ibn Kharijah that he saw The Messenger of Allah "Allah's blessing and peace be upon him" addressing the people on his riding mount, which was chewing its vomit, and its saliva was flowing, in which The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah Almighty has given to everyone his due portion from the heritage, in the sense that no bequest is valid for an heir."

3642- It is narrated on the authority of Amr Ibn Kharijah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah Almighty has given everyone having a right his due, in the sense that there is no bequest for an heir."

[6] When One Makes A Bequest In Favour Of His Nearest Kinsmen

3643- It is narrated on the authority of Abu Hurairah that he said: When the following Verse was revealed: "And admonish your nearest Kinsmen"

قَالَ: «هٰذَا مِنَ النَّعِيمِ الَّذِي تُسْأَلُونَ عَنْهُ».

3639 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ حَدِيثِ عَبْدِ الْوَهَّابِ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ عَنْ وَهْبِ بْنِ كَيْسَانَ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ قَالَ: تُوُفِّيَ أَبِي وَعَلَيْهِ دَيْنٌ فَعَرَضْتُ عَلَى غُرَمَائِهِ أَنْ يَأْخُذُوا الثَّمَرَةَ بِمَا عَلَيْهِ فَأَبَوْا وَلَمْ يَرَوْا فِيهِ وَفَاءً فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَذَكَرْتُ ذٰلِكَ لَهُ قَالَ: «**إِذَا جَدَدْتَهُ فَوَضَعْتَهُ فِي الْمِرْبَدِ فَآذِنِّي**» فَلَمَّا جَدَدْتُهُ وَوَضَعْتُهُ فِي الْمِرْبَدِ أَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَجَاءَ وَمَعَهُ أَبُو بَكْرٍ وَعُمَرُ فَجَلَسَ عَلَيْهِ وَدَعَا بِالْبَرَكَةِ ثُمَّ قَالَ: «**ٱدْعُ غُرَمَاءَكَ فَأَوْفِهِمْ**» قَالَ: فَمَا تَرَكْتُ أَحَداً لَهُ عَلَى أَبِي دَيْنٌ إِلاَّ قَضَيْتُهُ وَفَضَلَ لِي ثَلاَثَةَ عَشَرَ وَسْقاً فَذَكَرْتُ ذٰلِكَ لَهُ فَضَحِكَ وَقَالَ: «**ٱئْتِ أَبَا بَكْرٍ وَعُمَرَ فَأَخْبِرْهُمَا ذٰلِكَ**» فَأَتَيْتُ أَبَا بَكْرٍ وَعُمَرَ فَأَخْبَرْتُهُمَا فَقَالاَ: قَدْ عَلِمْنَا إِذْ صَنَعَ رَسُولُ ٱللَّهِ ﷺ مَا صَنَعَ أَنَّهُ سَيَكُونُ ذٰلِكَ.

(5) ـ بَابُ إِبْطَالِ الوَصِيَّةِ لِلْوَارِثِ

3640 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا أَبُو عَوَانَةَ عَنْ قَتَادَةَ عَنْ شَهْرِ بْنِ حَوْشَبٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ غَنْمٍ عَنْ عَمْرِو بْنِ خَارِجَةَ قَالَ: خَطَبَ رَسُولُ ٱللَّهِ ﷺ فَقَالَ: «**إِنَّ ٱللَّهَ قَدْ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ وَلاَ وَصِيَّةَ لِوَارِثٍ**».

3641 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: حَدَّثَنَا قَتَادَةُ عَنْ شَهْرِ بْنِ حَوْشَبٍ أَنَّ ٱبْنَ غَنْمٍ ذَكَرَ أَنَّ ٱبْنَ خَارِجَةَ ذَكَرَ لَهُ: أَنَّهُ شَهِدَ رَسُولَ ٱللَّهِ ﷺ يَخْطُبُ النَّاسَ عَلَى رَاحِلَتِهِ وَإِنَّهَا لَتَقْصَعُ بِجِرَّتِهَا وَإِنَّ لُعَابَهَا لَيَسِيلُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ فِي خُطْبَتِهِ: «**إِنَّ ٱللَّهَ قَدْ قَسَّمَ لِكُلِّ إِنْسَانٍ قِسْمَهُ مِنَ الْمِيرَاثِ فَلاَ تَجُوزُ لِوَارِثٍ وَصِيَّةٌ**».

3642 ـ أَخْبَرَنَا عُتْبَةُ بْنُ عَبْدِ ٱللَّهِ الْمَرْوَزِيُّ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ بْنُ الْمُبَارَكِ قَالَ: أَنْبَأَنَا إِسْمَاعِيلُ بْنُ أَبِي خَالِدٍ عَنْ قَتَادَةَ عَنْ عَمْرِو بنِ خَارِجَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**إِنَّ ٱللَّهَ عَزَّ ٱسْمُهُ قَدْ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ وَلاَ وَصِيَّةَ لِوَارِثٍ**».

(6) ـ بَابٌ إِذَا أَوْصَى لِعَشِيرَتِهِ الأَقْرَبِينَ

3643 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ عَنْ مُوسَى بْنِ طَلْحَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: لَمَّا نَزَلَتْ: ﴿وَأَنذِرْ عَشِيرَتَكَ ٱلْأَقْرَبِينَ﴾ دَعَا

(The Poets 214), The Messenger of Allah "Allah's blessing and peace be upon him" invited (the people of) Quraish, and when they gathered he addressed them generally and namely saying: "O sons of Ka'b Ibn Lu'ai! O sons of Murrah Ibn Ka'b! O sons of Abd Shams! O sons of Abd Manaf! O sons of Hashim! O sons of Abd Al-Muttalib! Save yourselves from the (Hell) fire! O Fatimah! Save yourself from the (Hell) fire! No doubt, I cannot protect you from Allah (if He wanted to punish you). But you have relation with me, which I would keep (and support)."

3644- It is narrated on the authority of Musa Ibn Talhah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "O sons of Abd Manaf! Buy (and save) yourselves from (the punishment of) your Lord, for I could not protect you from Allah (if He Almighty wanted to punish you). O sons of Abd Al-Muttalib! Buy (and save) yourselves from (the punishment of) your Lord, for I could not protect you from Allah (if He Almighty wanted to punish you). But you have relation with me, which I would keep (and support)."

3645- It is narrated on the authority of Abu Hurairah that he said: When Allah revealed the Verse: "And admonish your nearest Kinsmen" Allah's Apostle "Allah's blessing and peace be upon him" said: "O community of Quraish! Buy (and Save) yourselves (from the Hellfire), as I cannot save you from Allah's Punishment. O Banu Abd Al-Muttalib! I cannot save you from Allah's Punishment. O Abbas Ibn Abd Al-Muttalib! I cannot save you from Allah's punishment. O Safiyyah, (the Aunt of The Messenger of Allah "Allah's blessing and peace be upon him")! I cannot save you from Allah's Punishment. O Fatimah Bint Muhammad! Ask me anything from my wealth, but I cannot save you from Allah's Punishment."

3646- It is narrated on the authority of Abu Hurairah that he said: When Allah revealed the Verse: "And admonish your nearest Kinsmen" Allah's Apostle "Allah's blessing and peace be upon him" got up and said: "O community of Quraish! Buy (and Save) yourselves (from the Hellfire), as I cannot save you from Allah's Punishment. O Banu Abd Manaf! I cannot save you from Allah's Punishment. O Abbas Ibn Abd Al-Muttalib! I cannot save you from Allah's punishment. O Safiyyah, (the Aunt of The Messenger of Allah "Allah's blessing and peace be upon him")! I cannot save you from Allah's Punishment. O Fatimah Bint Muhammad! Ask me anything from my wealth, but I cannot save you from Allah's Punishment."

3647- It is narrated on the authority of Hisham Ibn Urwah from his father from A'ishah that she said: When the following Verse was revealed: "And admonish your nearest Kinsmen" (The Poets 214), The Messenger of Allah

رَسُولُ ٱللَّهِ ﷺ قُرَيْشاً فَٱجْتَمَعُوا فَعَمَّ وَخَصَّ فَقَالَ: «يَا بَنِي كَعْبِ بْنِ لُؤَيٍّ يَا بَنِي مُرَّةَ بْنِ كَعْبٍ يَا بَنِي عَبْدِ شَمْسٍ وَيَا بَنِي عَبْدِ مَنَافٍ وَيَا بَنِي هَاشِمٍ وَيَا بَنِي عَبْدِ الْمُطَّلِبِ أَنْقِذُوا أَنْفُسَكُمْ مِنَ النَّارِ وَيَا فَاطِمَةُ أَنْقِذِي نَفْسَكِ مِنَ النَّارِ إِنِّي لاَ أَمْلِكُ لَكُمْ مِنَ ٱللَّهِ شَيْئاً غَيْرَ أَنَّ لَكُمْ رَحِماً سَأَبُلُّهَا بِبِلاَلِهَا».

3644 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ مُوسَى قَالَ: أَنْبَأَنَا إِسْرَائِيلُ عَنْ مُعَاوِيَةَ وَهُوَ ٱبْنُ إِسْحَاقَ عَنْ مُوسَى بْنِ طَلْحَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «يَا بَنِي عَبْدِ مَنَافٍ ٱشْتَرُوا أَنْفُسَكُمْ مِنْ رَبِّكُمْ إِنِّي لاَ أَمْلِكُ لَكُمْ مِنَ ٱللَّهِ شَيْئاً يَا بَنِي عَبْدِ الْمُطَّلِبِ ٱشْتَرُوا أَنْفُسَكُمْ مِنْ رَبِّكُمْ إِنِّي لاَ أَمْلِكُ لَكُمْ مِنَ ٱللَّهِ شَيْئاً وَلَكِنْ بَيْنِي وَبَيْنَكُمْ رِحَمٌ أَنَا بَالُّهَا بِبِلاَلِهَا».

3645 ـ أَخْبَرَنَا سُلَيْمَانُ بْنُ دَاوُدَ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي سَعِيدُ بْنُ الْمُسَيَّبِ وَأَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمٰنِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: حِينَ أُنْزِلَ عَلَيْهِ ﴿وَأَنذِرْ عَشِيرَتَكَ ٱلْأَقْرَبِينَ﴾ قَالَ: «يَا مَعْشَرَ قُرَيْشٍ ٱشْتَرُوا أَنْفُسَكُمْ مِنَ ٱللَّهِ لاَ أُغْنِي عَنْكُمْ مِنَ ٱللَّهِ شَيْئاً يَا بَنِي عَبْدِ الْمُطَّلِبِ لاَ أُغْنِي عَنْكُمْ مِنَ ٱللَّهِ شَيْئاً يَا عَبَّاسُ بْنَ عَبْدِ الْمُطَّلِبِ لاَ أُغْنِي عَنْكَ مِنَ ٱللَّهِ شَيْئاً يَا صَفِيَّةُ عَمَّةَ رَسُولِ ٱللَّهِ ﷺ لاَ أُغْنِي عَنْكِ مِنَ ٱللَّهِ شَيْئاً يَا فَاطِمَةُ بِنْتَ مُحَمَّدٍ سَلِينِي مَا شِئْتِ لاَ أُغْنِي عَنْكِ مِنَ ٱللَّهِ شَيْئاً».

3646 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا بِشْرُ بْنُ شُعَيْبٍ عَنْ أَبِيهِ عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي سَعِيدُ بْنُ الْمُسَيَّبِ وَأَبُو سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ أَنَّ أَبَا هُرَيْرَةَ قَالَ: قَامَ رَسُولُ ٱللَّهِ ﷺ حِينَ أُنْزِلَ عَلَيْهِ ﴿وَأَنذِرْ عَشِيرَتَكَ ٱلْأَقْرَبِينَ﴾ فَحَدَّثَنَا قَالَ: «يَا مَعْشَرَ قُرَيْشٍ ٱشْتَرُوا أَنْفُسَكُمْ مِنَ ٱللَّهِ لاَ أُغْنِي عَنْكُمْ مِنَ ٱللَّهِ شَيْئاً يَا بَنِي عَبْدِ مَنَافٍ لاَ أُغْنِي عَنْكُمْ مِنَ ٱللَّهِ شَيْئاً يَا عَبَّاسُ بْنَ عَبْدِ الْمُطَّلِبِ لاَ أُغْنِي عَنْكَ مِنَ ٱللَّهِ شَيْئاً يَا صَفِيَّةُ عَمَّةَ رَسُولِ ٱللَّهِ ﷺ لاَ أُغْنِي عَنْكِ مِنَ ٱللَّهِ شَيْئاً يَا فَاطِمَةُ سَلِينِي مَا شِئْتِ لاَ أُغْنِي عَنْكِ مِنَ اللَّهِ شَيْئاً».

3647 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا أَبُو مُعَاوِيَةَ قَالَ: حَدَّثَنَا هِشَامُ وَهُوَ ٱبْنُ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: لَمَّا نَزَلَتْ هٰذِهِ الآيَةُ ﴿وَأَنذِرْ

"Allah's blessing and peace be upon him" said: "O Fatimah Bint Muhammad! O Safiyyah Bint Abd Al-Muttalib! O sons of Abd Al-Muttalib! I have no power to protect you from Allah (in case he wanted to punish you). Ask me for whatever you wanted from my own property."

[7] If One Is Overtaken By Sudden Death: Is It Desirable That His Family Should Give In Charity On His Behalf?

3648- It is narrated on the authority of Hisham Ibn Urwah from his father from A'ishah that a man said to The Messenger of Allah "Allah's blessing and peace be upon him": "My mother was overtaken by sudden death, and had she been able to speak, she would have given in charity: should I give in charity on her behalf?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Yes." He gave in charity on her behalf.

3649- It is narrated on the authority of Sa'id Ibn Amr Ibn Shurahbil Ibn Sa'id Ibn Sa'd Ibn Ubadah from his father from his grandfather that he said: Sa'd set out with The Messenger of Allah "Allah's blessing and peace be upon him" in a certain holy battle, and (during his absence) death approached his mother in Medina; and she was required to make a bequest, thereupon she said: "With which should I make a bequest, since the whole property is Sa'd's?" then, she died before Sa'd's arrival to Medina. When Sa'd arrived, a mention of that was made to him, and he said: "O Messenger of Allah! Is it of benefit to her to give in charity on her behalf?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Yes." On that Sa'd said: "Then such and such garden (and he named it) is an object of charity on her behalf."

[8] The Excellence Of Giving In Charity On Behalf Of A Dead

3650- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If the son of Adam dies, (the reward of) his deed will cease barring that of three (things): a charity to be recurrent, a (piece of) knowledge to be a source of benefit (to the people), and a good child to invoke (good) upon him."

3651- It is narrated on the authority of Abu Hurairah that he said: A man said to The Messenger of Allah "Allah's blessing and peace be upon him": "My father died, and left property, even though he made no bequest: should it plot out (of his sins) to give in charity on his behalf?" he said: "Yes."

3652- It is narrated on the authority of Ash-Sharid Ibn Suwaid Ath-Thaqafi that he said: I went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "My mother made a bequest that a slave should be emancipated on her behalf; and I have a Nubian slave-girl: is it

عَشِيرَتَكَ ٱلْأَقْرَبِينَ﴾ [الشعراء، الآية: 214] قَالَ رَسُولُ ٱللَّهِ ﷺ: «يَا فَاطِمَةُ ٱبْنَةَ مُحَمَّدٍ يَا صَفِيَّةُ بِنْتَ عَبْدِ الْمُطَّلِبِ يَا بَنِي عَبْدِ الْمُطَّلِبِ لاَ أُغْنِي عَنْكُمْ مِنَ ٱللَّهِ شَيْئاً سَلُونِي مِنْ مَالِي مَا شِئْتُمْ».

(7) ـ إذا مَاتَ الفَجْأَةَ هَلْ يُسْتَحَبُّ لأَهْلِهِ أَنْ يَتَصَدَّقُوا عَنْهُ؟

3648 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنَا ٱبْنُ الْقَاسِمِ عَنْ مَالِكٍ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ: أَنَّ رَجُلاً قَالَ لِرَسُولِ ٱللَّهِ ﷺ: إِنَّ أُمِّي ٱفْتُلِتَتْ نَفْسُهَا وَإِنَّهَا لَوْ تَكَلَّمَتْ تَصَدَّقَتْ أَفَأَتَصَدَّقُ عَنْهَا؟ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «نَعَمْ» فَتَصَدَّقَ عَنْهَا.

3649 ـ أَنْبَأَنَا الْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ عَنْ مَالِكٍ عَنْ سَعِيدِ بْنِ عَمْرِو بْنِ شُرَحْبِيلَ بْنِ سَعِيدِ بْنِ سَعْدِ بْنِ عُبَادَةَ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ: خَرَجَ سَعْدُ بْنُ عُبَادَةَ مَعَ النَّبِيِّ ﷺ فِي بَعْضِ مَغَازِيهِ وَحَضَرَتْ أُمَّهُ الْوَفَاةُ بِالْمَدِينَةِ فَقِيلَ لَهَا: أَوْصِي فَقَالَتْ: فِيمَ أُوصِي؟ الْمَالُ مَالُ سَعْدٍ فَتُوُفِّيَتْ قَبْلَ أَنْ يَقْدَمَ سَعْدٌ فَلَمَّا قَدِمَ سَعْدٌ ذُكِرَ ذٰلِكَ لَهُ فَقَالَ: يَا رَسُولَ ٱللَّهِ هَلْ يَنْفَعُهَا أَنْ أَتَصَدَّقَ عَنْهَا؟ فَقَالَ النَّبِيُّ ﷺ: «نَعَمْ» فَقَالَ سَعْدٌ: حَائِطُ كَذَا وَكَذَا صَدَقَةٌ عَنْهَا لِحَائِطٍ سَمَّاهُ.

(8) ـ فَضْلُ الصَّدَقَةِ عَنِ المَيِّتِ

3650 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنَا الْعَلاَءُ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «إِذَا مَاتَ الإِنْسَانُ ٱنْقَطَعَ عَمَلُهُ إِلاَّ مِنْ ثَلاَثَةٍ مِن صَدَقَةٍ جَارِيَةٍ وَعِلْمٍ يُنْتَفَعُ بِهِ وَوَلَدٍ صَالِحٍ يَدْعُو لَهُ».

3651 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا إِسْمَاعِيلُ عَنِ الْعَلاَءِ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ: أَنَّ رَجُلاً قَالَ لِلنَّبِيِّ ﷺ: إِنَّ أَبِي مَاتَ وَتَرَكَ مَالاً وَلَمْ يُوصِ فَهَلْ يُكَفِّرُ عَنْهُ أَنْ أَتَصَدَّقَ عَنْهُ؟ قَالَ: «نَعَمْ».

3652 ـ أَخْبَرَنَا مُوسَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا هِشَامُ بْنُ عَبْدِ الْمَلِكِ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ مُحَمَّدِ بْنِ عَمْرٍو عَنْ أَبِي سَلَمَةَ عَنِ الشَّرِيدِ بْنِ سُوَيْدٍ الثَّقَفِيِّ قَالَ: أَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَقُلْتُ: إِنَّ أُمِّي أَوْصَتْ أَنْ تُعْتَقَ عَنْهَا رَقَبَةٌ وَإِنَّ عِنْدِي جَارِيَةً نُوبِيَّةً

sufficient for me to emancipate her on her behalf?" he said: "Bring her to me." I brought her to him, and The Messenger of Allah "Allah's blessing and peace be upon him" asked her: "Who is your Lord?" she said: "Allah." He further asked: "Who am I?" she said: "The Messenger of Allah." On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Emancipate her for she is a believing (slave-girl)."

3653- It is narrated on the authority of Ibn Abbas that Sa'd asked The Messenger of Allah "Allah's blessing and peace be upon him": "My mother died, and made no bequest: should I give in charity on her behalf?" he answered in the affirmative.

3654- It is narrated on the authority of Ibn Abbas that a man said to The Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! My mother died: is it of benefit to her to give in charity on her behalf?" he said: "Yes." On that he said: "I have got a fenced garden of palms, and I make you witness that I've given it in charity on her behalf."

3655- It is narrated on the authority of Ibn Abbas that Sa'd came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "My mother died and a vow was due upon her: is it sufficient for her to emancipate a slave on her behalf?" he said: "Emancipate a slave on behalf of your mother."

3656- It is narrated on the authority of Ibn Abbas that Sa'd Ibn Ubadah sought the religious verdict of The Messenger of Allah "Allah's blessing and peace be upon him" pertaining to a vow which was due upon her, and she died before she fulfilled it, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Fulfill it on her behalf."

3657- It is narrated on the authority of Ibn Abbas that Sa'd Ibn Ubadah sought the religious verdict of The Messenger of Allah "Allah's blessing and peace be upon him" pertaining to a vow which was due upon her, and she died before she fulfilled it, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Fulfill it on her behalf."

3658- It is narrated on the authority of Ibn Abbas that he said: Sa'd sought the religious verdict of The Messenger of Allah "Allah's blessing and peace be upon him" pertaining to a vow which was due upon her, and she died before she fulfilled it, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Fulfill it on her behalf."

أَفَيُجْزِىءُ عَنِّي أَنْ أُعْتِقَهَا عَنْهَا؟ قَالَ: «**ائْتِنِي بِهَا**» فَأَتَيْتُهُ بِهَا فَقَالَ لَهَا النَّبِيُّ ﷺ: «**مَنْ رَبُّكِ؟**» قَالَتْ: اللَّهُ قَالَ: «**مَنْ أَنَا؟**» قَالَتْ: أَنْتَ رَسُولُ اللَّهِ قَالَ: «**فَاعْتِقْهَا فَإِنَّهَا مُؤْمِنَةٌ**».

3653 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ عِيسَى قَالَ: أَنْبَأَنَا سُفْيَانُ عَنْ عَمْرٍو عَنْ عِكْرِمَةَ عَنِ ابْنِ عَبَّاسٍ: أَنَّ سَعْداً سَأَلَ النَّبِيَّ ﷺ إِنَّ أُمِّي مَاتَتْ وَلَمْ تُوصِ أَفَأَتَصَدَّقُ عَنْهَا؟ قَالَ: «**نَعَمْ**».

3654 ـ أَخْبَرَنَا أَحْمَدُ بْنُ الأَزْهَرِ قَالَ: حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ قَالَ: حَدَّثَنَا زَكَرِيَّا بْنُ إِسْحَاقَ قَالَ: حَدَّثَنَا عَمْرُو بْنُ دِينَارٍ عَنْ عِكْرِمَةَ عَنِ ابْنِ عَبَّاسٍ: أَنَّ رَجُلاً قَالَ: يَا رَسُولَ اللَّهِ إِنَّ أُمَّهُ تُوُفِّيَتْ أَفَيَنْفَعُهَا إِنْ تَصَدَّقْتُ عَنْهَا؟ قَالَ: «**نَعَمْ**» قَالَ: فَإِنَّ لِي مَخْرَفاً فَأُشْهِدُكَ أَنِّي قَدْ تَصَدَّقْتُ بِهِ عَنْهَا.

3655 ـ أَخْبَرَنِي هَارُونُ بْنُ عَبْدِ اللَّهِ قَالَ: حَدَّثَنَا عَفَّانُ قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ كَثِيرٍ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ عَنِ ابْنِ عَبَّاسٍ عَنْ سَعْدِ بْنِ عُبَادَةَ: أَنَّهُ أَتَى النَّبِيَّ ﷺ فَقَالَ: إِنَّ أُمِّي مَاتَتْ وَعَلَيْهَا نَذْرٌ أَفَيُجْزِىءُ عَنْهَا أَنْ أُعْتِقَ عَنْهَا؟ قَالَ: «**أَعْتِقْ عَنْ أُمِّكَ**».

3656 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مُحَمَّدٍ أَبُو يُوسُفَ الصَّيْدَلاَنِيُّ عَنْ عِيسَى قَالَ: حَدَّثَنَا عِيسَى وَهُوَ ابْنُ يُونُسَ عَنِ الأَوْزَاعِيِّ عَنِ الزُّهْرِيِّ أَخْبَرَهُ عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ عَنِ ابْنِ عَبَّاسٍ عَنْ سَعْدِ بْنِ عُبَادَةَ: أَنَّهُ اسْتَفْتَى النَّبِيَّ ﷺ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ فَتُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**اقْضِهِ عَنْهَا**».

3657 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ صَدَقَةَ الْحِمْصِيُّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ شُعَيْبٍ عَنِ الأَوْزَاعِيِّ عَنِ الزُّهْرِيِّ أَخْبَرَهُ عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ عَنِ ابْنِ عَبَّاسٍ عَنْ سَعْدِ بْنِ عُبَادَةَ: أَنَّهُ اسْتَفْتَى النَّبِيَّ ﷺ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ فَمَاتَتْ قَبْلَ أَنْ تَقْضِيَهُ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**اقْضِهِ عَنْهَا**».

3658 ـ أَخْبَرَنَا الْعَبَّاسُ بْنُ الْوَلِيدِ بْنِ مَزْيَدَ قَالَ: أَخْبَرَنِي أَبِي قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ قَالَ: أَخْبَرَنِي الزُّهْرِيُّ أَنَّ عُبَيْدَ اللَّهِ بْنَ عَبْدِ اللَّهِ أَخْبَرَهُ عَنِ ابْنِ عَبَّاسٍ قَالَ: اسْتَفْتَى سَعْدٌ رَسُولَ اللَّهِ ﷺ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ فَتُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**اقْضِهِ عَنْهَا**».

[9] The Different Citation-Forms Of Sufyan's Narration

3659- It is narrated on the authority of Ibn Abbas that Sa'd Ibn Ubadah sought the religious verdict of The Messenger of Allah "Allah's blessing and peace be upon him" pertaining to a vow which was due upon her, and she died before she fulfilled it, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Fulfill it on her behalf."

3660- It is narrated on the authority of Ibn Abbas from Sa'd Ibn Ubadah that he said: My mother died and there was a vow due upon her. I asked The Messenger of Allah "Allah's blessing and peace be upon him" about that, thereupon he ordered me to fulfill it on her behalf.

3661- It is narrated on the authority of Ibn Abbas that he said: Sa'd Ibn Ubadah Al-Ansari sought the religious verdict of The Messenger of Allah "Allah's blessing and peace be upon him" pertaining to a vow which was due upon her, and she died before she fulfilled it. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Fulfill it on her behalf."

3662- It is narrated on the authority of Ibn Abbas that he said: Sa'd Ibn Ubadah came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "My mother died and there was a vow due upon her, which she did not fulfill, thereupon he said: "Fulfill it on her behalf."

3663- It is narrated on the authority of Sa'd Ibn Ubadah that he said: I said: "O Messenger of Allah! My mother died: should I give in charity on her behalf?" he answered in the affirmative. I further asked: "Which (object of) charity is the best?" he said: "To supply water (to the people)."

3664- It is narrated on the authority of Sa'd Ibn Ubadah that he said: I said: "O Messenger of Allah! Which (object of) charity is the best?" he said: "To supply water (to the people)."

3665- It is narrated on the authority of Sa'd Ibn Ubadah that his mother died thereupon he said: "O Messenger of Allah! My mother died: should I give in charity on her behalf?" he answered in the affirmative. He further asked: "Which (object of) charity is the best?" he said: "To supply water (to the people)." This is then the well of Sa'd in Medina.

[10] It Is Undesirable To Be A Guardian Over An Orphan's Property

3666- It is narrated on the authority of Abu Dharr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "O Abu Dharr! I see you are a weak man, and I like for you the same as I like for myself: do not (seek to) be a chief even over two persons, nor should you (seek to) be a guardian over an orphan's property."

(9) ـ ذِكْرُ الاخْتِلافِ على سُفْيَانَ

3659 ـ قَالَ الْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنْ سُفْيَانَ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ سَعْدَ بْنَ عُبَادَةَ ٱسْتَفْتَى النَّبِيَّ ﷺ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ فَتُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ فَقَالَ: «**ٱقْضِهِ عَنْهَا**».

3660 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنِ ٱبْنِ عَبَّاسٍ عَنْ سَعْدٍ أَنَّهُ قَالَ: مَاتَتْ أُمِّي وَعَلَيْهَا نَذْرٌ فَسَأَلْتُ النَّبِيَّ ﷺ فَأَمَرَنِي أَنْ أَقْضِيَهُ عَنْهَا.

3661 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا اللَّيْثُ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: ٱسْتَفْتَى سَعْدُ بْنُ عُبَادَةَ الأَنْصَارِيُّ رَسُولَ ٱللَّهِ ﷺ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ فَتُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**ٱقْضِهِ عَنْهَا**».

3662 ـ أَخْبَرَنَا هَارُونُ بْنُ إِسْحَاقَ الْهَمْدَانِيُّ عَنْ عَبْدَةَ عَنْ هِشَامٍ هُوَ ٱبْنُ عُرْوَةَ عَنْ بَكْرِ بْنِ وَائِلٍ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: جَاءَ سَعْدُ بْنُ عُبَادَةَ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنَّ أُمِّي مَاتَتْ وَعَلَيْهَا نَذْرٌ وَلَمْ تَقْضِهِ قَالَ: «**ٱقْضِهِ عَنْهَا**».

3663 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا وَكِيعٌ عَنْ هِشَامٍ عَنْ قَتَادَةَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ سَعْدِ بْنِ عُبَادَةَ قَالَ: قُلْتُ يَا رَسُولَ ٱللَّهِ إِنَّ أُمِّي مَاتَتْ أَفَأَتَصَدَّقُ عَنْهَا؟ قَالَ: «**نَعَمْ**» قُلْتُ: فَأَيُّ الصَّدَقَةِ أَفْضَلُ؟ قَالَ: «**سَقْيُ الْمَاءِ**».

3664 ـ أَخْبَرَنَا أَبُو عَمَّارٍ الْحُسَيْنُ بْنُ حُرَيْثٍ عَنْ وَكِيعٍ عَنْ هِشَامٍ عَنْ قَتَادَةَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ سَعْدِ بْنِ عُبَادَةَ قَالَ: قُلْتُ: يَا رَسُولَ ٱللَّهِ أَيُّ الصَّدَقَةِ أَفْضَلُ؟ قَالَ: «**سَقْيُ الْمَاءِ**».

3665 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ الْحَسَنِ عَنْ حَجَّاجٍ قَالَ: سَمِعْتُ شُعْبَةَ يُحَدِّثُ عَنْ قَتَادَةَ قَالَ: سَمِعْتُ الْحَسَنَ يُحَدِّثُ عَنْ سَعْدِ بْنِ عُبَادَةَ: أَنَّ أُمَّهُ مَاتَتْ فَقَالَ: يَا رَسُولَ ٱللَّهِ إِنَّ أُمِّي مَاتَتْ أَفَأَتَصَدَّقُ عَنْهَا؟ قَالَ: «**نَعَمْ**» قَالَ: فَأَيُّ الصَّدَقَةِ أَفْضَلُ؟ قَالَ: «**سَقْيُ الْمَاءِ**». فَتِلْكَ سِقَايَةُ سَعْدٍ بِالْمَدِينَةِ.

(10) ـ النَّهْيُ عَنِ الوِلايَةِ على مَالِ اليَتِيمِ

3666 ـ أَخْبَرَنَا الْعَبَّاسُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ يَزِيدَ عَنْ سَعِيدِ بْنِ أَبِي أَيُّوبَ عَنْ عُبَيْدِ ٱللَّهِ بْنِ أَبِي جَعْفَرٍ عَنْ سَالِمِ بْنِ أَبِي سَالِمٍ الْجَيْشَانِيِّ عَنْ أَبِيهِ عَنْ أَبِي ذَرٍّ قَالَ: قَالَ لِي رَسُولُ ٱللَّهِ ﷺ: «**يَا أَبَا ذَرٍّ إِنِّي أَرَاكَ ضَعِيفاً وَإِنِّي أُحِبُّ لَكَ مَا أُحِبُّ لِنَفْسِي لاَ تَأَمَّرَنَّ عَلَى ٱثْنَيْنِ وَلاَ تَوَلَّيَنَّ عَلَى مَالِ يَتِيمٍ**».

[11] What Could A Trustee Have From An Orphan's Property?

3667- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that a man came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "I'm a poor man and has no property, but I have an orphan under my guardianship (who has property)." On that he said: "Eat from the property of the orphan that is under your guardianship, but without extravagance, nor wastefulness, nor investing it (for your own interest)."

3668- It is narrated on the authority of Ibn Abbas that when Allah Almighty revealed: "Those who unjustly eat up the property of orphans, eat up a fire into their own bodies: they will soon be enduring a blazing fire" everyone who had an orphan under his guardianship hurried and separated his food and drink from those of the guardian (and his family). This became hard upon them (the guardians), and they mentioned that to the Messenger of Allah "Allah's blessing and peace be upon him", thereupon, Allah Almighty revealed: "They ask you concerning orphans. Say: the best thing to do is what is for their good; if you mix their affairs with yours, they are your brethren; but Allah knows the man who means mischief from the man who means good. And if Allah had wished, He could have put you into difficulties: He is indeed Exalted in Power, Wise."

3669- It is narrated on the authority of Ibn Abbas that he said concerning Allah's saying: "Those who unjustly eat up the property of orphans": It was the habit that if a man had an orphan under his guardianship, he would separate his food, drink and utensils, and when this was difficult upon the Muslims, Allah Almighty revealed: " if you mix their affairs with yours, they are your brethren." In this way mixing with them was made lawful for them.

[12] Refraining From Eating Up The Orphan's Property

3670- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Avoid committing the seven destructive (major) sins." It was said: "O Messenger of Allah! What are they?" he said: "To associate others with Allah (in worship), (to be in the state of) niggardliness, to unlawfully kill the human which Allah prohibited except legally, to consume the orphan's property, to consume the usury, to flee on the day of the advance (of the enemy), and to slander the chaste innocent believing women."

(11) ـ ما للوَصِيِّ من مَالِ اليَتِيمِ إذا قَامَ عليه

3667 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ حُصَيْنٍ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ: أَنَّ رَجُلاً أَتَى النَّبِيَّ ﷺ فَقَالَ: إِنِّي فَقِيرٌ لَيْسَ لِي شَيْءٌ وَلِي يَتِيمٌ قَالَ: «كُلْ مِنْ مَالِ يَتِيمِكَ غَيْرَ مُسْرِفٍ وَلاَ مُبَاذِرٍ وَلاَ مُتَأَثِّلٍ».

3668 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عُثْمَانَ بْنِ حَكِيمٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ الصَّلْتِ قَالَ: حَدَّثَنَا أَبُو كُدَيْنَةَ عَنْ عَطَاءٍ وَهُوَ ٱبْنُ السَّائِبِ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: لَمَّا نَزَلَتْ هٰذِهِ الآيَةُ ﴿وَلَا تَقْرَبُوا۟ مَالَ ٱلْيَتِيمِ إِلَّا بِٱلَّتِى هِىَ أَحْسَنُ﴾ [الأنعام: 152] و﴿إِنَّ ٱلَّذِينَ يَأْكُلُونَ أَمْوَٰلَ ٱلْيَتَٰمَىٰ ظُلْمًا﴾ [النساء: 10] قَالَ: ٱجْتَنَبَ النَّاسُ مَالَ الْيَتِيمِ وَطَعَامَهُ فَشَقَّ ذٰلِكَ عَلَى الْمُسْلِمِينَ فَشَكَوْا ذٰلِكَ إِلَى النَّبِيِّ ﷺ فَأَنْزَلَ ٱللَّهُ ﴿وَيَسْـَٔلُونَكَ عَنِ ٱلْيَتَٰمَىٰ قُلْ إِصْلَاحٌ لَّهُمْ خَيْرٌ﴾ إِلَى قَوْلِهِ: ﴿لَأَعْنَتَكُمْ﴾ [البقرة: 220].

3669 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عِمْرَانُ بْنُ عُيَيْنَةَ قَالَ: حَدَّثَنَا عَطَاءُ بْنُ السَّائِبِ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ فِي قَوْلِهِ: ﴿إِنَّ ٱلَّذِينَ يَأْكُلُونَ أَمْوَٰلَ ٱلْيَتَٰمَىٰ ظُلْمًا﴾ قَالَ: كَانَ يَكُونُ فِي حَجْرِ الرَّجُلِ الْيَتِيمَ فَيَعْزِلُ لَهُ طَعَامَهُ وَشَرَابَهُ وَآنِيَتَهُ فَشَقَّ ذٰلِكَ عَلَى الْمُسْلِمِينَ فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ ﴿وَإِن تُخَالِطُوهُمْ فَإِخْوَٰنُكُمْ﴾ [البقرة: 220] فِي الدِّينِ فَأَحَلَّ لَهُمْ خُلْطَتَهُمْ.

(12) ـ اجْتِنَابُ أَكْلِ مَالِ اليَتِيمِ

3670 ـ أَخْبَرَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ عَنْ سُلَيْمَانَ بْنِ بِلاَلٍ عَنْ ثَوْرِ بْنِ يَزِيدَ عَنْ أَبِي الْغَيْثِ عَنْ أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «ٱجْتَنِبُوا السَّبْعَ الْمُوبِقَاتِ». قِيلَ: يَا رَسُولَ ٱللَّهِ مَا هِيَ؟ قَالَ: «الشِّرْكُ بِاللَّهِ، وَالسِّحْرُ وَقَتْلُ النَّفْسِ الَّتِي حَرَّمَ ٱللَّهُ إِلاَّ بِالْحَقِّ، وَأَكْلُ الرِّبَا وَأَكْلُ مَالِ الْيَتِيمِ وَالتَّوَلِّي يَوْمَ الزَّحْفِ، وَقَذْفُ الْمُحْصَنَاتِ الْغَافِلاَتِ الْمُؤْمِنَاتِ».

(31) THE BOOK OF GIVING A GIFT

[1] The Different Narrations Of The Story Of An-Nu'man Ibn Bashir

3671- It is narrated on the authority of An-Nu'man Ibn Bashir that his father gave him a slave as a gift, and he went to The Messenger of Allah "Allah's blessing and peace be upon him" to make him witness to that, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Have you given all of your sons the same?" he answered in the negative. On that he said: "Then, take it back."

3672- It is narrated on the authority of An-Nu'man Ibn Bashir that his father went with him to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've given this son of mine a slave which was in my possession as a gift." The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Have you given all of your sons the same?" he answered in the negative, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, take it back."

3673- It is narrated on the authority of An-Nu'man Ibn Bashir that his father Bashir Ibn Sa'd went with his son An-Nu'man to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've given this son of mine a slave which was in my possession as a gift." The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Have you given all of your sons the same?" he answered in the negative, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, take it back."

3674- It is narrated on the authority of Bashir Ibn Sa'd that he went with his son An-Nu'man Ibn Bashir (to The Messenger of Allah) and said: "I've given this son of mine a slave which was in my possession as a gift: if you like that I should carry that out, I shall do." The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Have you given all of your sons the same?" he answered in the negative, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, take it back."

3675- It is narrated on the authority of An-Nu'man Ibn Bashir that his father gave him a gift, and his mother said to him: "Make The Messenger of Allah "Allah's blessing and peace be upon him" witness to what you've given my son." He went to The Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" disliked to be a witness in his favour.

(31) ـ كِتَابُ النُّحْلِ

(1) ـ ذِكْرُ اخْتِلافِ أَلْفَاظِ النَّاقِلِينَ لِخَبَرِ النُّعْمَانِ بْنِ بَشِيرٍ فِي النُّحْلِ

3671 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ حُمَيْدٍ ح. وَأَنْبَأَنَا مُحَمَّدُ بْنُ مَنْصُورٍ عَنْ سُفْيَانَ قَالَ: سَمِعْنَاهُ مِنَ الزُّهْرِيِّ أَخْبَرَنِي حُمَيْدُ بْنُ عَبْدِ الرَّحْمٰنِ وَمُحَمَّدُ بْنُ النُّعْمَانِ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ: أَنَّ أَبَاهُ نَحَلَهُ غُلاَماً فَأَتَى النَّبِيَّ ﷺ يُشْهِدُهُ فَقَالَ: «**أَكُلَّ وَلَدِكَ نَحَلْتَ؟**» قَالَ: لاَ قَالَ: «**فَارْدُدْهُ**». وَاللَّفْظُ لِمُحَمَّدٍ.

3672 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ابْنِ الْقَاسِمِ عَنْ مَالِكٍ عَنِ ابْنِ شِهَابٍ عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمٰنِ وَمُحَمَّدِ بْنِ النُّعْمَانِ يُحَدِّثَانِهِ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ: أَنَّ أَبَاهُ أَتَى بِهِ رَسُولَ اللَّهِ ﷺ فَقَالَ: إِنِّي نَحَلْتُ ابْنِي غُلاَماً كَانَ لِي فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَكُلَّ وَلَدِكَ نَحَلْتَهُ؟**» قَالَ: لاَ، قَالَ رَسُولُ اللَّهِ ﷺ: «**فَارْجِعْهُ**».

3673 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ هَاشِمٍ قَالَ: حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ عَنِ الزُّهْرِيِّ عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمٰنِ وَعَنْ مُحَمَّدِ بْنِ النُّعْمَانِ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ: أَنَّ أَبَاهُ بَشِيرَ بْنَ سَعْدٍ جَاءَ بِابْنِهِ النُّعْمَانَ فَقَالَ: يَا رَسُولَ اللَّهِ إِنِّي نَحَلْتُ ابْنِي هٰذَا غُلاَماً كَانَ لِي فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَكُلُّ بَنِيكَ نَحَلْتَ؟**»قَالَ: لاَ قَالَ: «**فَارْجِعْهُ**».

3674 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدٍ قَالَ: حَدَّثَنَا الْوَلِيدُ عَنِ الأَوْزَاعِيِّ عَنِ الزُّهْرِيِّ أَنَّ مُحَمَّدَ بْنَ النُّعْمَانِ وَحُمَيْدَ بْنَ عَبْدِ الرَّحْمٰنِ حَدَّثَاهُ عَنْ بَشِيرِ بْنِ سَعْدٍ: أَنَّهُ جَاءَ إِلَى النَّبِيِّ ﷺ بِالنُّعْمَانِ بْنِ بَشِيرٍ فَقَالَ: إِنِّي نَحَلْتُ ابْنِي هٰذَا غُلاَماً فَإِنْ رَأَيْتَ أَنْ تُنْفِذَهُ أَنْفَذْتُهُ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَكُلَّ بَنِيكَ نَحَلْتَهُ؟**» قَالَ: لاَ قَالَ: «**فَارْدُدْهُ**».

3675 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنْ هِشَامٍ عَنْ أَبِيهِ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ: أَنَّ أَبَاهُ نَحَلَهُ نُحْلاً فَقَالَتْ لَهُ أُمُّهُ: أَشْهِدِ النَّبِيَّ ﷺ عَلَى مَا نَحَلْتَ ابْنَهُ. فَأَتَى النَّبِيَّ ﷺ فَذَكَرَ ذٰلِكَ لَهُ فَكَرِهَ النَّبِيُّ ﷺ أَنْ يَشْهَدَ لَهُ.

3676- It is narrated on the authority of Urwah from Bashir that he gave his son (An-Nu'man) a slave as a gift, and he went to The Messenger of Allah "Allah's blessing and peace be upon him" with the intention to make The Messenger of Allah "Allah's blessing and peace be upon him" witness to that, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Have you given all of your sons the same?" he answered in the negative. On that he said: "Then, take it back."

3677- It is narrated on the authority of Hisham Ibn Urwah from his father that Bashir went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Prophet of Allah! I've given An-Nu'man a gift." The Messenger of Allah "Allah's blessing and peace be upon him" asked: "Have you given all of his brothers the same?" he answered in the negative, thereupon he said to him: "Then, take it back."

3678- It is narrated on the authority of An-Nu'man Ibn Bashir that his father went carrying him to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "Be a witness that I've given An-Nu'man as a gift such and such from my property." He asked him: "Have you given all of your sons the same as you have given An-Nu'man?"

3679- It is narrated on the authority of An-Nu'man Ibn Bashir that his father went with him to the Messenger of Allah "Allah's blessing and peace be upon him" in order to make him witness to the fact that he gave An-Nu'man as a gift such and such (things out of his property). He said: "Have you given all of your sons the same as you've given An-Nu'man?" he answered in the negative, he said: "Then, I will not be witness to that. Would you not be pleased to have all of them (i.e. your sons) equally dutiful and kind to you?" he answered in the affirmative. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, it is not" (i.e. do not give him anything apart from them).

3680- It is narrated on the authority of An-Nu'man Ibn Bashir that his mother Amrah Bint Rawahah asked his father to present a gift from his property to her son. He hesitated for a year, after which it seemed to him (to give it to him). She (his mother) said: "I would not be satisfied unless The Messenger of Allah "Allah's blessing and peace be upon him" is made a witness to it." He said: "O Messenger of Allah! The mother of this (boy), Bint Rawahah, struggled me in order to give him what I've given to him as a gift." The Messenger of Allah "Allah's blessing and peace be upon him" said: "O Bashir! Do you have other sons besides him?" He said: "Yes." He asked: "Have you donated to all of them the like of that (you've donated to An-Nu'man)?" he replied in the negative. Upon this The Messenger of Allah

3676 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْمَرٍ قَالَ: حَدَّثَنَا أَبُو عَامِرٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ سَعْدٍ يَعْنِي ٱبْنَ إِبْرَاهِيمَ عَنْ عُرْوَةَ عَنْ بَشِيرٍ: أَنَّهُ نَحَلَ ٱبْنَهُ غُلاَماً فَأَتَى النَّبِيَّ ﷺ فَأَرَادَ أَنْ يُشْهِدَ النَّبِيَّ ﷺ فَقَالَ: «**أَكُلَّ وَلَدِكَ نَحَلْتَهُ مِثْلَ ذَا؟**» قَالَ: لاَ قَالَ: «**فَٱرْدُدْهُ**».

3677 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ عَنْ هِشَامٍ عَنِ ٱبْنِ عُرْوَةَ عَنْ أَبِيهِ: أَنَّ بَشِيراً أَتَى النَّبِيَّ ﷺ فَقَالَ: يَا نَبِيَّ ٱللَّهِ نَحَلْتُ النُّعْمَانَ نِحْلَةً قَالَ: «**أَعْطَيْتَ لإِخْوَتِهِ؟**» قَالَ: لاَ قَالَ: «**فَٱرْدُدْهُ**».

3678 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا دَاوُدُ عَنِ الشَّعْبِيِّ عَنِ النُّعْمَانِ قَالَ: ٱنْطَلَقَ بِهِ أَبُوهُ يَحْمِلُهُ إِلَى النَّبِيِّ ﷺ قَالَ: أَشْهَدُ أَنِّي قَدْ نَحَلْتُ النُّعْمَانَ مِنْ مَالِي كَذَا وَكَذَا قَالَ: «**كُلَّ بَنِيكَ نَحَلْتَ مِثْلَ الَّذِي نَحَلْتَ النُّعْمَانَ؟**».

3679 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ عَبْدِ الْوَهَّابِ قَالَ: حَدَّثَنَا دَاوُدُ عَنْ عَامِرٍ عَنِ النُّعْمَانِ: أَنَّ أَبَاهُ أَتَى بِهِ النَّبِيَّ ﷺ يُشْهِدُ عَلَى نُحْلٍ نَحَلَهُ إِيَّاهُ فَقَالَ: «**أَكُلَّ وَلَدِكَ نَحَلْتَ مِثْلَ مَا نَحَلْتَهُ؟**» قَالَ: لاَ قَالَ: «**فَلاَ أَشْهَدُ عَلَى شَيْءٍ أَلَيْسَ يَسُرُّكَ أَنْ يَكُونُوا إِلَيْكَ فِي الْبِرِّ سَوَاءً؟**» قَالَ: بَلَى قَالَ: «**فَلاَ إِذاً**».

3680 ـ أَخْبَرَنَا مُوسَى بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا أَبُو أُسَامَةَ قَالَ: حَدَّثَنَا أَبُو حَيَّانَ عَنِ الشَّعْبِيِّ قَالَ: حَدَّثَنِي النُّعْمَانُ بْنُ بَشِيرٍ الأَنْصَارِيُّ: أَنَّ أُمَّهُ ٱبْنَةَ رَوَاحَةَ سَأَلَتْ أَبَاهُ بَعْضَ الْمَوْهِبَةِ مِنْ مَالِهِ لاِبْنِهَا فَالْتَوَى بِهَا سَنَةً ثُمَّ بَدَا لَهُ فَوَهَبَهَا لَهُ فَقَالَتْ: لاَ أَرْضَى حَتَّى تُشْهِدَ رَسُولَ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ إِنَّ أُمَّ هٰذَا ٱبْنَةَ رَوَاحَةَ قَاتَلَتْنِي عَلَى الَّذِي وَهَبْتُ لَهُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**يَا بَشِيرُ أَلَكَ وَلَدٌ سِوَى هٰذَا؟**» قَالَ: نَعَمْ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**أَفَكُلَّهُمْ**

"Allah's blessing and peace be upon him" said: "Then, do not make me a witness for I'm not to be a witness to an injustice."

3681- It is narrated on the authority of An-Nu'man Ibn Bashir that he said: My mother asked my father to present a gift from his property to me, and he did accordingly. She (my mother) said: "I would not be satisfied unless The Messenger of Allah "Allah's blessing and peace be upon him" is made a witness to it." My father caught hold of my hand, and I was still a young boy, and went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! The mother of this (boy), Bint Rawahah, asked me to give this as a gift, and she liked that I should make you witness to it." The Messenger of Allah "Allah's blessing and peace be upon him" said: "O Bashir! Do you have other sons besides him?" He said: "Yes." He asked: "Have you donated to all of them the like of that (you've donated to An-Nu'man)?" he replied in the negative. Upon this The Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, do not make me a witness for I'm not to be a witness to an injustice."

3682- It is narrated on the authority of Bashir Ibn Sa'd that he went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My wife, the daughter of Rawahah, asked me to give her son An-Nu'man a gift, and told me to make you witness to that." The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Do you have sons besides him?" he answered in the affirmative. He asked: "Then, have you given all of them the same as you've given him?" he answered in the negative, thereupon he said: "Then, do not make me witness to an injustice."

3683- It is narrated on the authority of Abdullah Ibn Utbah Ibn Mas'ud that he said: A man came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've given my son a gift: so, be witness to that." The Messenger of Allah "Allah's blessing and peace be upon him" asked: "Do you have other sons besides him?" he answered in the affirmative. He further asked: "Have you given all of them the same as you've given him?" he answered in the negative, thereupon he said: "Then, should I be a witness to an injustice?"

3684- It is narrated on the authority of An-Nu'man Ibn Bashir that he said: My father went with me to The Messenger of Allah "Allah's blessing and peace be upon him" in order to make him witness to something he had given me as a gift, thereupon he asked him: "Do you have other sons besides him?" he answered in the affirmative. On that he made a row with the help of his fingers and said: "Should you not treat them equally?"

وَهَبْتَ لَهُمْ مِثْلَ الَّذِي وَهَبْتَ لابْنِكَ هٰذا؟» قَالَ: لاَ قَالَ رَسُولُ ٱللَّهِ ﷺ: «فَلاَ تُشْهِدْنِي إذاً فَإِنِّي لاَ أَشْهَدُ عَلَى جَوْرٍ».

3681 ـ أَخْبَرَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا يَعْلَى قَالَ: حَدَّثَنَا أَبُو حَيَّانَ عَنِ الشَّعْبِيِّ عَنِ النُّعْمَانِ قَالَ: سَأَلَتْ أُمِّي أَبِي بَعْضَ الْمَوْهِبَةِ فَوَهَبَهَا لِي فَقَالَتْ: لاَ أَرْضَى حَتَّى أُشْهِدَ رَسُولَ ٱللَّهِ ﷺ قَالَ: فَأَخَذَ أَبِي بِيَدِي وَأَنَا غُلاَمٌ فَأَتَى رَسُولَ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ إِنَّ أُمَّ هٰذَا ٱبْنَةَ رَوَاحَةَ طَلَبَتْ مِنِّي بَعْضَ الْمَوْهِبَةِ وَقَدْ أَعْجَبَهَا أَنْ أُشْهِدَكَ عَلَى ذٰلِكَ قَالَ: «يَا بَشِيرُ أَلَكَ ٱبْنٌ غَيْرُ هٰذَا؟» قَالَ: نَعَمْ قَالَ: «فَوَهَبْتَ لَهُ مِثْلَ مَا وَهَبْتَ لِهٰذَا؟» قَالَ: لاَ، قَالَ: «فَلاَ تُشْهِدْنِي إذاً، فَإِنِّي لاَ أَشْهَدُ عَلَى جَوْرٍ».

3682 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ عَنْ عَامِرٍ قَالَ: أُخْبِرْتُ أَنَّ بَشِيرَ بْنَ سَعْدٍ أَتَى رَسُولَ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ إِنَّ ٱمْرَأَتِي عَمْرَةَ بِنْتَ رَوَاحَةَ أَمَرَتْنِي أَنْ أَتَصَدَّقَ عَلَى ابْنِهَا نُعْمَانَ بِصَدَقَةٍ وَأَمَرَتْنِي أَنْ أُشْهِدَكَ عَلَى ذٰلِكَ فَقَالَ لَهُ النَّبِيُّ ﷺ: «هَلْ لَكَ بَنُونَ سِوَاهُ؟» قَالَ: نَعَمْ قَالَ: «فَأَعْطَيْتَهُمْ مِثْلَ مَا أَعْطَيْتَ لِهٰذَا؟» قَالَ: لاَ قَالَ: «فَلاَ تُشْهِدْنِي عَلَى جَوْرٍ».

3683 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا زَكَرِيَّا عَنْ عَامِرٍ قَالَ: حَدَّثَنِي عَبْدُ ٱللَّهِ بْنُ عُتْبَةَ بْنِ مَسْعُودٍ ح. وَأَنْبَأَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ عَنْ زَكَرِيَّا عَنِ الشَّعْبِيِّ عَنْ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ بْنِ مَسْعُودٍ: أَنَّ رَجُلاً جَاءَ إِلَى النَّبِيِّ ﷺ وَقَالَ مُحَمَّدٌ: أَتَى النَّبِيَّ ﷺ فَقَالَ: إِنِّي تَصَدَّقْتُ عَلَى ابْنِي بِصَدَقَةٍ فَاشْهَدْ فَقَالَ: «هَلْ لَكَ وَلَدٌ غَيْرُهُ؟» قَالَ: نَعَمْ قَالَ: «أَعْطَيْتَهُمْ كَمَا أَعْطَيْتَهُ؟» قَالَ: لاَ قَالَ: «لاَ أَشْهَدُ عَلَى جَوْرٍ».

3684 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ عَنْ يَحْيَى عَنْ فِطْرٍ قَالَ: حَدَّثَنِي مُسْلِمُ بْنُ صُبَيْحٍ قَالَ: سَمِعْتُ النُّعْمَانَ بْنَ بَشِيرٍ يَقُولُ: ذَهَبَ بِي أَبِي إِلَى النَّبِيِّ ﷺ يُشْهِدُهُ عَلَى شَيْءٍ أَعْطَانِيهِ فَقَالَ: «أَلَكَ وَلَدٌ غَيْرُهُ؟» قَالَ: نَعَمْ وَصَفَّ بِيَدِهِ بِكَفِّهِ أَجْمَعَ كَذَا «أَلاَ سَوَّيْتَ بَيْنَهُمْ!».

3685- It is narrated on the authority of An-Nu'man Ibn Bashir that he said: My father went with me to The Messenger of Allah "Allah's blessing and peace be upon him" in order to make him witness to something he had given me as a gift, thereupon he asked him: "Do you have other sons besides him?" he answered in the affirmative. On that he said to him: "Treat them equally."

3686- It is narrated on the authority of An-Nu'man Ibn Bashir that he said while addressing the people: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do justice with all of your sons! Do justice with all of your sons!"

3685 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ فِطْرٍ عَنْ مُسْلِمِ بْنِ صُبَيْحٍ قَالَ: سَمِعْتُ ٱلنُّعْمَانَ يَقُولُ: وَهُوَ يَخْطُبُ ٱنْطَلَقَ بِي أَبِي إِلَى رَسُولِ ٱللَّهِ ﷺ يُشْهِدُهُ عَلَى عَطِيَّةٍ أَعْطَانِيهَا فَقَالَ: «**هَلْ لَكَ بَنُونَ سِوَاهُ؟**» قَالَ: نَعَمْ قَالَ: «**سَوِّ بَيْنَهُمْ**».

3686 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ سُفْيَانَ قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَن جَابِرِ بْنِ الْمُفَضَّلِ بْنِ الْمُهَلَّبِ عَنْ أَبِيهِ قَالَ: سَمِعْتُ النُّعْمَانَ بْنَ بَشِيرٍ يَخْطُبُ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**ٱعْدِلُوا بَيْنَ أَبْنَائِكُمْ ٱعْدِلُوا بَيْنَ أَبْنَائِكُمْ**».

(32) THE BOOK OF GIFT

[1] The Common Gift

3687- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: We were sitting with The Messenger of Allah "Allah's blessing and peace be upon him" when the delegate of (the tribe of) Hawazin came to him and said: "O Muhammad! We're a main tribe (of the Arabs) and a (well-known) clan (among them), and we've been put to such distress as it is not hidden from you: grant us (our property and captives) might Allah grant you (blessing)." He said: "Choose either your property or your women and children." They said: "You've given us the freedom to choose our ancestry or property, and we choose our women and children." The Messenger of Allah "Allah's blessing and peace be upon him" said: "As for that which is under the disposal of me and the sons of Abd Al-Muttalib, it will be brought back to you. When I offer Zhuhr prayer, stand up and say: 'We seek the help of the Messenger of Allah to get the faithful believers or Muslims (give us back) our women and children'." When they offered Zhuhr prayer, they stood up and said so, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "As for that which is under the disposal of me and the sons of Abd Al-Muttalib, it will be brought back to you." The Muhajirs said: "As for that which is under the disposal of us, it is under the disposal of The Messenger of Allah "Allah's blessing and peace be upon him"." The Ansar said: "As for that which is under the disposal of us, it is under the disposal of The Messenger of Allah "Allah's blessing and peace be upon him"." Al-Aqra' Ibn Habis said: "As for me and Banu Tamim, this is not so." Uyainah Ibn Hisn said: "As for me and Banu Fazarah, this is not so." Al-Abbas Ibn Mirdas said: "As for me and Banu Sulaim, this is not so." Banu Sulaim said: "You've told a lie! As for that which is under the disposal of us, it is under the disposal of The Messenger of Allah "Allah's blessing and peace be upon him"." The Messenger of Allah "Allah's blessing and peace be upon him" said: "O people! Give them back their women and children, and whoever among you stuck to anything of that (and he would bring it back), would be given by us six camels from (one-fifth) the first booty of war which will be granted to us by Allah Almighty." Then, the Messenger of Allah "Allah's blessing and peace be upon him" rode his mount and the people rode (and walked) after him, saying pressingly: "Distribute the booty among us!" this forced him to come closer to a tree, which snatched his garment, thereupon he said: "O people! Bring back my garment! By Allah! Had you got as much camels as the trees of Tihamah, I would have distributed them among you with justice, and you

(32) ـ كِتَابُ الهِبَةِ

(1) ـ هِبَةُ المَشَاعِ

3687 ـ أَخْبَرَنَا عَمْرُو بْنُ يَزِيْدٍ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي عَدِيٍّ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ: كُنَّا عِنْدَ رَسُولِ ٱللَّهِ ﷺ إِذْ أَتَتْهُ وَفْدُ هَوَازِنَ فَقَالُوا: يَا مُحَمَّدُ إِنَّا أَصْلٌ وَعَشِيرَةٌ وَقَدْ نَزَلَ بِنَا مِنَ الْبَلاَءِ مَا لاَ يَخْفَى عَلَيْكَ فَٱمْنُنْ عَلَيْنَا مَنَّ ٱللَّهُ عَلَيْكَ فَقَالَ: «**ٱخْتَارُوا مِنْ أَمْوَالِكُمْ أَوْ مِنْ نِسَائِكُمْ وَأَبْنَائِكُمْ**» فَقَالُوا: قَدْ خَيَّرْتَنَا بَيْنَ أَحْسَابِنَا وَأَمْوَالِنَا بَلْ نَخْتَارُ نِسَاءَنَا وَأَبْنَاءَنَا فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**أَمَّا مَا كَانَ لِي وَلِبَنِي عَبْدِ الْمُطَّلِبِ فَهُوَ لَكُمْ فَإِذَا صَلَّيْتُ الظُّهْرَ فَقُومُوا فَقُولُوا: إِنَّا نَسْتَعِينُ بِرَسُولِ ٱللَّهِ عَلَى الْمُؤْمِنِينَ أَوِ الْمُسْلِمِينَ فِي نِسَائِنَا وَأَبْنَائِنَا**» فَلَمَّا صَلُّوا الظُّهْرَ قَامُوا فَقَالُوا ذٰلِكَ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**فَمَا كَانَ لِي وَلِبَنِي عَبْدِ الْمُطَّلِبِ فَهُوَ لَكُمْ**». فَقَالَ الْمُهَاجِرُونَ: وَمَا كَانَ لَنَا فَهُوَ لِرَسُولِ ٱللَّهِ ﷺ وَقَالَتِ الأَنْصَارُ: مَا كَانَ لَنَا فَهُوَ لِرَسُولِ ٱللَّهِ ﷺ فَقَالَ الأَقْرَعُ بْنُ حَابِسٍ: أَمَّا أَنَا وَبَنُو تَمِيمٍ فَلاَ، وَقَالَ عُيَيْنَةُ بْنُ حِصْنٍ: أَمَّا أَنَا وَبَنُو فَزَارَةَ فَلاَ وَقَالَ الْعَبَّاسُ بْنُ مِرْدَاسٍ: أَمَّا أَنَا وَبَنُو سُلَيْمٍ فَلاَ فَقَامَتْ بَنُو سُلَيْمٍ فَقَالُوا: كَذَبْتَ مَا كَانَ لَنَا فَهُوَ لِرَسُولِ ٱللَّهِ ﷺ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «**يَا أَيُّهَا النَّاسُ رُدُّوا عَلَيْهِمْ نِسَاءَهُمْ وَأَبْنَاءَهُمْ فَمَنْ تَمَسَّكَ مِنْ هٰذَا الْفَيْءِ بِشَيْءٍ فَلَهُ سِتُّ فَرَائِضَ مِنْ أَوَّلِ شَيْءٍ يُفِيئُهُ ٱللَّهُ عَزَّ وَجَلَّ عَلَيْنَا**» وَرَكِبَ رَاحِلَتَهُ وَرَكِبَ النَّاسُ ٱقْسِمْ عَلَيْنَا فَيْأَنَا فَأَلْجَأُوهُ إِلَى شَجَرَةٍ فَخَطِفَتْ رِدَاءَهُ فَقَالَ: «**يَا أَيُّهَا النَّاسُ رُدُّوا عَلَيَّ رِدَائِي، فَوَاللَّهِ لَوْ أَنَّ لَكُمْ شَجَرَ تِهَامَةَ نَعَماً قَسَمْتُهُ عَلَيْكُمْ، ثُمَّ لَمْ**

would have seen me neither niggard nor coward nor liar." Then, he came closer to a camel, and took a hair from its hump with his fingers and said: "O people! I have nothing from that booty, and not even this barring the one-fifth, (which should be assigned to Allah and His Messenger), and even this one-fifth is given back to you." A man having some hair in his hand stood up and said: "I've taken this to mend a saddle belonging to me." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "As to that which is under the disposal of me and the sons of Abd Al-Muttalib, it is lawful for you to take (and as to the shares of the others, they should give their consent concerning that)." He said: "As long as it has come to such a state, I have then no need for that (cluster of hair)." He then threw it. He said: "O people! Give back (everything of that booty, even if it is) a needle and a string. No doubt, the misappropriation will be a cause of shame and disgrace on the Day of Judgement."

[2] The Father Could Take Back What He Grants To His Son

3688- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None should take back his gift barring a father who could take back his gift which he grants to his son; and such as takes back his gift is like him, who swallows back his vomit."

3689- It is narrated on the authority of both Ibn Abbas and Ibn Umar, tracing it up to The Messenger of Allah "Allah's blessing and peace be upon him" that he said: "It is unlawful for a man to take back his gift, except a father, (who could take back) what he grants to his son; and the example of such as takes back his gift is like the example of a dog, which eats, and when it is satisfied, it vomits, and then returns to eat its vomit once again."

3690- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as takes back his gift is like a dog, which vomits, and then returns to eat its vomit."

3691- It is narrated on the authority of Tawus that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful for a man to take back his gift, except (a father who could take back) what he grants to his son." Tawus said: When I was still young, I used to hear 'such as eats back his vomit', and I did not know that he (the Prophet) set forth an example for them saying: "and the example of such as does so (i.e. takes back his gift) is like the example of a dog, which eats, and then vomits, and then returns to eat its vomit."

تَلْقُونِي بَخِيلاً وَلاَ جَبَاناً وَلاَ كَذُوباً»، ثُمَّ أَتَى بَعِيراً فَأَخَذَ مِنْ سَنَامِهِ وَبَرَةً بَيْنَ أُصْبُعَيْهِ ثُمَّ يَقُولُ: «هَا إِنَّهُ لَيْسَ لِي مِنَ الْفَيْءِ شَيْءٌ وَلاَ هٰذِهِ إِلاَّ خُمُسٌ وَالْخُمُسُ مَرْدُودٌ فِيكُمْ»، فَقَامَ إِلَيْهِ رَجُلٌ بِكُبَّةٍ مِنْ شَعْرٍ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَخَذْتُ هٰذِهِ لأُصْلِحَ بِهَا بَرْدَعَةَ بَعِيرٍ لِي فَقَالَ: «أَمَّا مَا كَانَ لِي وَلِبَنِي عَبْدِ الْمُطَّلِبِ فَهُوَ لَكَ» فَقَالَ: «أَوَ بَلَغَتْ هٰذِهِ فَلاَ أَرَبَ لِي فِيهَا» فَنَبَذَهَا وَقَالَ: «يَا أَيُّهَا النَّاسُ أَدُّوا الْخِيَاطَ وَالْمَخِيطَ فَإِنَّ الْغُلُولَ يَكُونُ عَلَى أَهْلِهِ عَاراً وَشَنَاراً يَوْمَ الْقِيَامَةِ».

(2) ـ رُجُوعُ الوَالِدِ فيما يُعْطِي وَلَدَهُ وذِكْرُ اخْتِلافِ النَّاقِلِينَ للخَبَرِ في ذلك

3688 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَفْصٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنِي إِبْرَاهِيمُ عَنْ سَعِيدِ بْنِ أَبِي عَرُوبَةَ عَنْ عَامِرٍ الأَحْوَلِ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ يَرْجِعُ أَحَدٌ فِي هِبَتِهِ إِلاَّ وَالِدٌ مِنْ وَلَدِهِ وَالْعَائِدُ فِي هِبَتِهِ كَالْعَائِدِ فِي قَيْئِهِ».

3689 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا ٱبْنُ أَبِي عَدِيٍّ عَنْ حُسَيْنٍ عَنْ عَمْرِو بْنِ شُعَيْبٍ قَالَ: حَدَّثَنِي طَاوُسٌ عَنِ ٱبْنِ عُمَرَ وَابْنِ عَبَّاسٍ يَرْفَعَانِ الْحَدِيثَ إِلَى النَّبِيِّ ﷺ قَالَ: «لاَ يَحِلُّ لِرَجُلٍ يُعْطِي عَطِيَّةً ثُمَّ يَرْجِعُ فِيهَا إِلاَّ الْوَالِدَ فِيمَا يُعْطِي وَلَدَهُ وَمَثَلُ الَّذِي يُعْطِي عَطِيَّةً ثُمَّ يَرْجِعُ فِيهَا كَمَثَلِ الْكَلْبِ أَكَلَ حَتَّى إِذَا شَبِعَ قَاءَ ثُمَّ عَادَ فِي قَيْئِهِ».

3690 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ الْخَلَنْجِيُّ الْمَقْدِسِيُّ قَالَ: حَدَّثَنَا أَبُو سَعِيدٍ وَهُوَ مَوْلَى بَنِي هَاشِمٍ عَنْ وَهْبٍ قَالَ: حَدَّثَنَا ٱبْنُ طَاوُسٍ عَنْ أَبِيهِ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «الْعَائِدُ فِي هِبَتِهِ كَالْكَلْبِ يَقِيءُ ثُمَّ يَعُودُ فِي قَيْئِهِ».

3691 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ إِبْرَاهِيمَ بْنِ نَافِعٍ عَنِ الْحَسَنِ بْنِ مُسْلِمٍ عَنْ طَاوُسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ يَحِلُّ لأَحَدٍ أَنْ يَهَبَ هِبَةً ثُمَّ يَرْجِعَ فِيهَا إِلاَّ مِنْ وَلَدِهِ» قَالَ طَاوُسٌ: كُنْتُ أَسْمَعُ وَأَنَا صَغِيرٌ عَائِدٌ فِي قَيْئِهِ فَلَمْ نَدْرِ أَنَّهُ ضَرَبَ لَهُ مَثَلاً قَالَ فَمَنْ فَعَلَ ذٰلِكَ فَمَثَلُهُ كَمَثَلِ الْكَلْبِ يَأْكُلُ ثُمَّ يَقِيءُ ثُمَّ يَعُودُ فِي قَيْئِهِ.

[3] The Different Narrations Of Abdullah Ibn Abbas

3692- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: " The example of such as takes back his object of charity is like the example of a dog, which eats back its vomit."

3693- It is narrated on the authority of Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" said: " The example of such as gives something in charity, and then takes back his object of charity is like the example of a dog, which vomits and then returns to eat its vomit."

3694- It is narrated on the authority of Abdullah Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" said: " The example of such as takes back his object of charity is like the example of a dog, which vomits and then returns to eat its vomit."

3695- It is narrated on the authority of Abdullah Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as takes back his gift is like him who eats back his vomit."

3696- It is narrated on the authority of Abdullah Ibn Abbas that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as takes back his gift is like him who eats back his vomit."

3697- It is narrated on the authority of Abdullah Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not fitting for us to do anything for which the bad example is set forth: Such as takes back his gift is like him who eats back his vomit."

3698- It is narrated on the authority of Abdullah Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not fitting for us to do anything for which the bad example is set forth: Such as takes back his gift is like a dog which eats back its vomit."

3699- It is narrated on the authority of Abdullah Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not fitting for us to do anything for which the bad example is set forth: Such as takes back his gift is like a dog which eats back its vomit."

[4] The Different Narrations Of Tawus Of Taking Back One's Gift

3700- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: " Such as takes back his gift is like a dog, which vomits and then eats back its vomit."

(3) ـ ذِكْرُ الاخْتِلافِ لِخَبَرِ عَبْدِ اللهِ بْنِ عَبَّاسٍ فيه

3692 ـ أَخْبَرَنَا مَحْمُودُ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا عُمَرُ عَنِ الأَوْزَاعِيِّ قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ عَلِيِّ بْنِ حُسَيْنٍ قَالَ: حَدَّثَنِي سَعِيدُ بْنُ الْمُسَيَّبِ قَالَ: حَدَّثَنِي عَبْدُ اللَّهِ بْنُ عَبَّاسٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَثَلُ الَّذِي يَرْجِعُ فِي صَدَقَتِهِ كَمَثَلِ الْكَلْبِ يَرْجِعُ فِي قَيْئِهِ فَيَأْكُلُهُ»**.

3693 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ الصَّمَدِ قَالَ: حَدَّثَنَا حَرْبٌ وَهُوَ ابْنُ شَدَّادٍ قَالَ: حَدَّثَنِي يَحْيَى هُوَ ابْنُ أَبِي كَثِيرٍ قَالَ: حَدَّثَنِي عَبْدُ الرَّحْمٰنِ بْنُ عُمَرَ وَهُوَ الأَوْزَاعِيُّ: أَنَّ مُحَمَّدَ بْنَ عَلِيِّ بْنِ حُسَيْنِ بْنِ فَاطِمَةَ بِنْتِ رَسُولِ اللَّهِ ﷺ حَدَّثَهُ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنِ ابْنِ عَبَّاسٍ أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَثَلُ الَّذِي يَتَصَدَّقُ بِالصَّدَقَةِ ثُمَّ يَرْجِعُ فِيهَا كَمَثَلِ الْكَلْبِ قَاءَ ثُمَّ عَادَ فِي قَيْئِهِ فَأَكَلَهُ»**.

3694 ـ أَخْبَرَنَا الْهَيْثَمُ بْنُ مَرْوَانَ بْنِ الْهَيْثَمِ بْنِ عِمْرَانَ قَالَ: حَدَّثَنَا مُحَمَّدٌ وَهُوَ ابْنُ بَكَّارِ بْنِ بِلاَلٍ قَالَ: حَدَّثَنَا يَحْيَى عَنِ الأَوْزَاعِيِّ أَنَّ مُحَمَّدَ بْنَ عَلِيِّ بْنِ الْحُسَيْنِ حَدَّثَهُ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ عَبْدِ اللَّهِ بْنِ عَبَّاسٍ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«مَثَلُ الَّذِي يَرْجِعُ فِي صَدَقَتِهِ كَمَثَلِ الْكَلْبِ يَقِيءُ ثُمَّ يَعُودُ فِي قَيْئِهِ»** قَالَ الأَوْزَاعِيُّ: سَمِعْتُهُ يُحَدِّثُ عَطَاءَ بْنَ أَبِي رَبَاحٍ بِهٰذَا الْحَدِيثِ.

3695 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنِ ابْنِ عَبَّاسٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«الْعَائِدُ فِي هِبَتِهِ كَالْعَائِدِ فِي قَيْئِهِ»**.

3696 ـ أَخْبَرَنَا أَبُو الأَشْعَثِ قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنِ ابْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الْعَائِدُ فِي هِبَتِهِ كَالْعَائِدِ فِي قَيْئِهِ»**.

3697 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا أَبُو خَالِدٍ وَهُوَ سُلَيْمَانُ بْنُ حَيَّانَ عَنْ سَعِيدِ بْنِ أَبِي عَرُوبَةَ عَنْ أَيُّوبَ عَنْ عِكْرِمَةَ عَنِ ابْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَيْسَ لَنَا مَثَلُ السَّوْءِ الْعَائِدُ فِي هِبَتِهِ كَالْعَائِدِ فِي قَيْئِهِ»**.

3698 ـ أَخْبَرَنَا عَمْرُو بْنُ زُرَارَةَ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ عَنْ أَيُّوبَ عَنْ عِكْرِمَةَ عَنِ ابْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَيْسَ لَنَا مَثَلُ السَّوْءِ الْعَائِدُ فِي هِبَتِهِ كَالْكَلْبِ يَعُودُ فِي قَيْئِهِ»**.

3699 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمِ بْنِ نُعَيْمٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ خَالِدٍ عَنْ عِكْرِمَةَ عَنِ ابْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَيْسَ لَنَا مَثَلُ السَّوْءِ الرَّاجِعُ فِي هِبَتِهِ كَالْكَلْبِ يَرْجِعُ فِي قَيْئِهِ»**.

(4) ـ ذِكْرُ الاخْتِلافِ على طَاوُسٍ في الرَّاجِعِ في هِبَتِهِ

3700 ـ أَخْبَرَنِي زَكَرِيَّا بْنُ يَحْيَى قَالَ: حَدَّثَنَا إِسْحَاقُ قَالَ: حَدَّثَنَا الْمَخْزُومِيُّ قَالَ: حَدَّثَنَا وُهَيْبٌ قَالَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ طَاوُسٍ عَنْ أَبِيهِ عَنِ ابْنِ عَبَّاسٍ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«الْعَائِدُ فِي هِبَتِهِ كَالْكَلْبِ يَقِيءُ ثُمَّ يَعُودُ فِي قَيْئِهِ»**.

3701- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: " Such as takes back his gift is like him who eats back his vomit."

3702- It is narrated on the authority of both Ibn Abbas and Ibn Umar, tracing it up to The Messenger of Allah "Allah's blessing and peace be upon him" that he said: "It is unlawful for a man to take back his gift, except a father, (who could take back) what he grants to his son; and the example of such as takes back his gift is like the example of a dog, which eats, and when it is satisfied, it vomits, and then returns to eat its vomit once again."

3703- It is narrated on the authority of Tawus that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful for a man to take back his gift, except (a father who could take back) what he grants to his son." Tawus said: When I was still young, I used to hear the boys saying: 'O man who eats back his vomit', and I did not know that The Messenger of Allah "Allah's blessing and peace be upon him" set forth an example until we learnt that he said: "The example of such as gives a gift and then takes it back is like the example of a dog which eats its vomit."

3704- It is narrated on the authority of Tawus that he said: One who caught up the time of told us that he said: "The example of such as gives a gift and then takes it back is like the example of a dog which eats, vomits and then eats back its vomit."

3701 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنْ حَجَّاجٍ عَنْ أَبِي الزُّبَيْرِ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْعَائِدُ فِي هِبَتِهِ كَالْعَائِدِ فِي قَيْئِهِ»**.

3702 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ مُحَمَّدِ بْنِ سَلاَّمٍ قَالَ: حَدَّثَنَا إِسْحَاقُ الأَزْرَقُ قَالَ: حَدَّثَنَا بِهِ حُسَيْنٌ الْمُعَلِّمُ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ طَاوُسٍ عَنِ ٱبْنِ عُمَرَ وَٱبْنِ عَبَّاسٍ قَالاَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ يَحِلُّ لأَحَدٍ أَنْ يُعْطِي الْعَطِيَّةَ فَيَرْجِعَ فِيهَا إِلاَّ الْوَالِدَ فِيمَا يُعْطِي وَلَدَهُ وَمَثَلُ الَّذِي يُعْطِي الْعَطِيَّةَ فَيَرْجِعُ فِيهَا كَالْكَلْبِ يَأْكُلُ حَتَّى إِذَا شَبِعَ قَاءَ ثُمَّ عَادَ فَرَجَعَ فِي قَيْئِهِ»**.

3703 ـ أَخْبَرَنَا عَبْدُ الْحَمِيدِ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا مَخْلَدٌ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ عَنِ الْحَسَنِ بْنِ مُسْلِمٍ عَنْ طَاوُسٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لاَ يَحِلُّ لأَحَدٍ يَهَبُ هِبَةً ثُمَّ يَعُودُ فِيهَا إِلاَّ الْوَالِدَ»** قَالَ طَاوُسٌ: كُنْتُ أَسْمَعُ الصِّبْيَانَ يَقُولُونَ: يَا عَائِداً فِي قَيْئِهِ وَلَمْ أَشْعُرْ أَنَّ رَسُولَ ٱللَّهِ ﷺ ضَرَبَ ذٰلِكَ مَثَلاً حَتَّى بَلَغَنَا أَنَّهُ كَانَ يَقُولُ: **«مَثَلُ الَّذِي يَهَبُ الْهَبَةَ ثُمَّ يَعُودُ فِيهَا»** وَذَكَرَ كَلِمَةً مَعْنَاهَا: **«كَمَثَلِ الْكَلْبِ يَأْكُلُ قَيْئَهُ»**.

3704 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمِ بْنِ نُعَيْمٍ قَالَ: حَدَّثَنَا حِبَّانُ أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ حَنْظَلَةَ أَنَّهُ سَمِعَ طَاوُساً يَقُولُ: أَخْبَرَنَا بَعْضُ مَنْ أَدْرَكَ النَّبِيَّ ﷺ أَنَّهُ قَالَ: **«مَثَلُ الَّذِي يَهَبُ فَيَرْجِعُ فِي هِبَتِهِ كَمَثَلِ الْكَلْبِ يَأْكُلُ فَيَقِيءُ ثُمَّ يَأْكُلُ قَيْئَهُ»**.

(33) THE BOOK OF RUQBA

(The Gift In Connection With Which Watching Death Is Observed): This kind of giving is that a man says to another: Get benefit from this thing of me, and if I die before you, it should be for you; and if you die before me, it should be brought back to me. In this case, each of them watches (and expects) the death of the other.

[1] The Different Citation-Forms Of The Narration Of Abu Najih

3705- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The gift in connection with which watching death is observed becomes a reward (for such as to whom it is given, in the sense that it should not be brought back to its giver)."

3706- It is narrated on the authority of Zaid Ibn Thabit that The Messenger of Allah "Allah's blessing and peace be upon him" made the gift in connection with which watching death is observed right for such as to whom it is given continually (in the sense that it should not be brought back to its giver).

3707- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No gift in connection with which watching death is observed is (fitting for the interests of the people); and if one is given such, it should become a portion of his heritage (which is given to his heirs after his death)."

[2] The Citation-Forms Of The Narration Of Abu Az-Zubair

3708- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not give your property to each other by way of gifts, in connection with which watching death is observed; and if such is given to anyone, it should be for him, to whom it is given (forever)."

3709- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes a reward for such as to whom it is given, and the gift in connection with which watching death is observed becomes also a reward for such as to whom it is given (in the sense that both should not be brought back to the giver); and such as takes back his gift is like such as takes back (and eats) his vomit."

(33) ـ كِتَابُ الرُّقْبَىٰ

(1) ـ ذِكْرُ الاخْتِلافِ على ابْنِ أبي نَجِيحٍ في خَبَرِ زَيْدِ بْنِ ثَابِتٍ فيه

3705 ـ أَخْبَرَنَا هِلاَلُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ وَهُوَ ٱبْنُ عَمْرٍو عَنْ سُفْيَانَ عَنِ ٱبْنِ أَبِي نَجِيحٍ عَنْ طَاوُسٍ عَنْ زَيْدَ بْنِ ثَابِتٍ عَنِ النَّبِيِّ ﷺ قَالَ: «**الرُّقْبَى جَائِزَةٌ**».

3706 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ عَلِيِّ بْنِ مَيْمُونٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ وَهُوَ ٱبْنُ يُوسُفَ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ ٱبْنِ أَبِي نَجِيحٍ عَنْ طَاوُسٍ عَنْ رَجُلٍ عَنْ زَيْدِ بْنِ ثَابِتٍ: «أَنَّ النَّبِيَّ ﷺ جَعَلَ الرُّقْبَى لِلَّذِي أُرْقِبَهَا».

3707 ـ أَخْبَرَنَا زَكَرِيَّا بْنُ يَحْيَى قَالَ: حَدَّثَنَا عَبْدُ الْجَبَّارِ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ ٱبْنِ أَبِي نَجِيحٍ عَنْ طَاوُسٍ لَعَلَّهُ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: «لاَ رُقْبَى فَمَنْ أُرْقِبَ شَيْئاً فَهُوَ سَبِيلُ الْمِيرَاثِ».

(2) ـ ذِكْرُ الاخْتِلافِ على أَبِي الزُّبَيْرِ

3708 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ وَهْبٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنِي أَبُو عَبْدِ الرَّحِيمِ قَالَ: حَدَّثَنِي زَيْدٌ عَنْ أَبِي الزُّبَيْرِ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: «**لاَ تُرْقِبُوا أَمْوَالَكُمْ فَمَنْ أَرْقَبَ شَيْئاً فَهُوَ لِمَنْ أُرْقِبَهُ**».

3709 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنْ حَجَّاجٍ عَنْ أَبِي الزُّبَيْرِ عَن طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**الْعُمْرَى جَائِزَةٌ لِمَنْ أُعْمِرَهَا وَالرُّقْبَى جَائِزَةٌ لِمَنْ أُرْقِبَهَا وَالْعَائِدُ فِي هِبَتِهِ كَالْعَائِدِ فِي قَيْئِهِ**».

3710- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Both the lifetime gift and the gift in connection with which watching death is observed are equal" (in the sense that they become right for such as to whom they are given, and they should not be brought back to the giver).

3711- It is narrated on the authority of Ibn Abbas that he said: "No gift in connection with which watching death is observed, nor lifetime gift is lawful (i.e. both are unfitting for the interests of the people); and if one is given a lifetime gift, it should become right for him, to whom it is given, and if one is given a gift in connection with which watching death is observed, it should become right for him, to whom it is given."

3712- It is narrated on the authority of Ibn Abbas that he said: "No lifetime gift nor a gift in connection with which watching death is observed is fitting (for the interests of the people); and if one is given a lifetime gift, or if one is given a gift in connection with which watching death is observed, it should become right for him, to whom it is given, during his life and after his death."

3713- It is narrated on the authority of Tawus that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No gift in connection with which watching death is observed is lawful (i.e. fitting for the interests of the people); and if one is given such, it should become a portion of his heritage (which is given to his heirs after his death)."

3714- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes a portion of one's heritage."

3715- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift goes to one's heir (since it becomes a portion of his heritage)."

3716- It is narrated on the authority of Zaid Ibn Thabit that The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes a reward (for such as to whom it is given)."

3717- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift goes to one's heir (since it becomes a portion of his heritage)."

3718- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift goes to one's heir (since it becomes a portion of his heritage); and Allah Almighty knows better."

3710 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَبِي الزُّبَيْرِ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: «الْعُمْرَى وَالرُّقْبَى سَوَاءٌ».

3711 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا يَعْلَى قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَبِي الزُّبَيْرِ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: «لاَ تَحِلُّ الرُّقْبَى وَلاَ الْعُمْرَى فَمَنْ أُعْمِرَ شَيْئاً فَهُوَ لَهُ وَمَنْ أُرْقِبَ شَيْئاً فَهُوَ لَهُ».

3712 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنْ أَبِي الزُّبَيْرِ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: «لاَ تَصْلُحُ الْعُمْرَى وَلاَ الرُّقْبَى فَمَنْ أَعْمَرَ شَيْئاً أَوْ أَرْقَبَهُ فَإِنَّهُ لِمَنْ أُعْمِرَهُ وَأُرْقِبَهُ حَيَاتَهُ وَمَوْتَهُ». أَرْسَلَهُ حَنْظَلَةُ.

3713 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حِبَّانُ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ عَنْ حَنْظَلَةَ أَنَّهُ سَمِعَ طَاوُساً يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ تَحِلُّ الرُّقْبَى فَمَنْ أُرْقِبَ رُقْبَى فَهُوَ سَبِيلُ الْمِيرَاثِ»**.

3714 ـ أَخْبَرَنِي عَبْدَةُ بْنُ عَبْدِ الرَّحِيمِ عَنْ وَكِيعٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ ٱبْنِ أَبِي نَجِيحٍ عَنْ طَاوُسٍ عَنْ زَيْدِ بْنِ ثَابِتٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْعُمْرَى مِيرَاثٌ»**.

3715 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ ٱبْنِ طَاوُسٍ عَنْ أَبِيهِ عَنْ حُجْرٍ الْمَدَرِيِّ عَنْ زَيْدٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْعُمْرَى لِلْوَارِثِ»**.

3716 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ الْمُبَارَكِ عَنْ مَعْمَرٍ عَنِ ٱبْنِ طَاوُسٍ عَنْ أَبِيهِ عَنْ حُجْرٍ الْمَدَرِيِّ عَنْ زَيْدِ بْنِ ثَابِتٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«الْعُمْرَى جَائِزَةٌ»**.

3717 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عُبَيْدٍ عَنِ ٱبْنِ الْمُبَارَكِ عَنْ مَعْمَرٍ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ طَاوُسٍ عَنْ زَيْدِ بْنِ ثَابِتٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«الْعُمْرَى لِلْوَارِثِ»**.

3718 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ مَعْمَرٍ قَالَ: سَمِعْتُ عَمْرَو بْنِ دِينَارٍ يُحَدِّثُ عَنْ طَاوُسٍ عَنْ حُجْرٍ الْمَدَرِيِّ عَنْ زَيْدِ بْنِ ثَابِتٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«الْعُمْرَى لِلْوَارِثِ»** وَٱللَّهُ أَعْلَمُ.

(34) THE BOOK OF UMRA

(It is a lifetime gift, in the sense that a man gives a gift to another to get benefit from it during his lifetime; and it has three cases: the first is to give him something continually, in the sense that it is for him as well as for his heirs after his death, and it is unanimously agreed that it is permissible, on the basis that it is a gift. The second is to give another something stipulating the condition that it is for him as long as he is alive, and once he dies, it should be brought back to the giver; and it is permissible, but without the same common agreement among the religious scholars. The third is to give something to another with no conditions at all).

[1]

3719- It is narrated on the authority of Zaid Ibn Thabit that The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift goes to one's heir (since it becomes a portion of his heritage)."

3720- It is narrated on the authority of Zaid Ibn Thabit that The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift goes to one's heir (since it becomes a portion of his heritage)."

3721- It is narrated on the authority of Zaid Ibn Thabit that The Messenger of Allah "Allah's blessing and peace be upon him" passed the judgement that "The lifetime gift goes to one's heir (since it becomes a portion of his heritage)."

3722- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If one gives a lifetime gift, (it should be known that) The lifetime gift becomes right for him, to whom it is given, during his lifetime and after his death. Furthermore, do not give anything to each other by way of a gift in connection with which watching death is observed, for if one gives anything to another by way of a gift in connection with which watching death is observed should go to him, to whom it is given."

3723- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes a reward (for such as to whom it is given, in the sense that it should not be brought back to the giver)."

3724- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes a reward (for such as to whom it is given, in the sense that it should not be brought back to the giver)."

(34) ـ كِتَابُ العُمْرَى

(1) ـ [بابٌ]

3719 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَمْرِو بْنِ دِينَارٍ قَالَ: سَمِعْتُ طَاوُساً يُحَدِّثُ عَنْ زَيْدِ بْنِ ثَابِتٍ عَنِ النَّبِيِّ ﷺ قَالَ: «**الْعُمْرَى هِيَ لِلْوَارِثِ**».

3720 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي عَمْرُو بْنُ دِينَارٍ قَالَ: سَمِعْتُ طَاوُساً يُحَدِّثُ عَنْ حُجْرٍ الْمَدَرِيِّ عَنْ زَيْدِ بْنِ ثَابِتٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**الْعُمْرَى لِلْوَارِثِ**».

3721 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ عَنْ سُفْيَانَ عَنْ عَمْرٍو عَنْ طَاوُسٍ عَنْ حُجْرٍ الْمَدَرِيِّ عَنْ زَيْدِ بْنِ ثَابِتٍ: «أَنَّ النَّبِيَّ ﷺ قَضَى بِالْعُمْرَى لِلْوَارِثِ».

3722 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ بْنِ إِبْرَاهِيمَ قَالَ: أَخْبَرَنِي أَبِي أَنَّهُ عَرَضَ عَلَيَّ مَعْقَلٌ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ حُجْرٍ الْمَدَرِيِّ عَنْ زَيْدِ بْنِ ثَابِتٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ أَعْمَرَ شَيْئاً فَهُوَ لِمُعْمَرِهِ مَحْيَاهُ وَمَمَاتَهُ وَلاَ تَرْقُبُوا فَمَنْ أَرْقَبَ شَيْئاً فَهُوَ لِسَبِيلِهِ**».

3723 ـ أَخْبَرَنِي زَكَرِيَّا بْنُ يَحْيَى قَالَ: حَدَّثَنَا زَيْدُ بْنُ أَخْزَمَ قَالَ: أَنْبَأَنَا مُعَاذُ بْنُ هِشَامٍ قَالَ: حَدَّثَنِي أَبِي عَنْ قَتَادَةَ قَالَ: حَدَّثَنَا عَمْرُو بْنُ دِينَارٍ عَنْ طَاوُسٍ عَنِ الْحَجُورِيِّ عَنْ عَبْدِ ٱللَّهِ بْنِ عَبَّاسٍ عَنِ النَّبِيِّ ﷺ قَالَ: «**الْعُمْرَى جَائِزَةٌ**».

3724 ـ أَخْبَرَنَا هَارُونُ بْنُ مُحَمَّدِ بْنِ بَكَّارِ بْنِ بِلاَلٍ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا سَعِيدٌ هُوَ ٱبْنُ بَشِيرٍ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ عَنِ النَّبِيِّ ﷺ قَالَ: «**إِنَّ الْعُمْرَى جَائِزَةٌ**».

3725- It is narrated on the authority of Tawus that The Messenger of Allah "Allah's blessing and peace be upon him" forbade both the lifetime gift, and the gift in connection with which watching death is observed.

[2] The Different Citation-Forms Of Jabir's Narration

3726- It is narrated on the authority of Jabir that The Messenger of Allah "Allah's blessing and peace be upon him" addressed them saying: "The lifetime gift becomes a reward (for such as to whom it is given, in the sense that it should not be brought back to the giver)."

3727- It is narrated on the authority of Ata' that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade both the lifetime gift and the gift in connection with which watching death is observed. I asked him: "What is the gift in connection with which watching death is observed?" he said: "It is that a man says to another: 'Let such be yours as long as you are alive (and if you die first, it will be brought back to me; and if I die first, it will be yours continually)'; but even if you do, it becomes a reward (for such as to whom it is given, in the sense that it should not be brought back to the giver)."

3728- It is narrated on the authority of Jabir that The Messenger of Allah "Allah's blessing and peace be upon him" addressed them saying: "The lifetime gift becomes a reward (for such as to whom it is given, in the sense that it should not be brought back to the giver)."

3729- It is narrated on the authority of Ata' that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is given something as a lifetime gift, it should be right for him during his lifetime as well as after his death (and in this case it goes to his heirs)."

3730- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not give anything to each other by way of gifts, in connection with which watching death is observed, nor by way of lifetime gifts; and if one is given something by way of a gift in connection with which watching death is observed, or by way of a lifetime gift, it should be right for the heirs of him, to whom it is given by this way or another."

3731- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No lifetime gift, nor a gift in connection with which watching death is observed is (fitting for the interests of Muslims), and whoever is given anything by way of a lifetime gift, or by way of a gift in connection with which watching death is observed, it becomes right for him during his life and after his death."

3725 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ قَالَ: حَدَّثَنَا مَكْحُولٌ عَنْ طَاوُسٍ: «بَتَلَ رَسُولُ ٱللَّهِ ﷺ الْعُمْرَى وَالرُّقْبَى».

(2) ـ ذِكْرُ اخْتِلافِ ٱلْفَاظِ النَّاقِلِينَ لِخَبَرِ جَابِرٍ فِي العُمْرَى

3726 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا بِسْطَامُ بْنُ مُسْلِمٍ قَالَ: حَدَّثَنَا مَالِكُ بْنُ دِينَارٍ عَنْ عَطَاءٍ عَنْ جَابِرٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ خَطَبَهُمْ فَقَالَ: «**الْعُمْرَى جَائِزَةٌ**».

3727 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: أَنْبَأَنَا عُبَيْدُ ٱللَّهِ عَنْ إِسْرَائِيلَ عَنْ عَبْدِ الْكَرِيمِ عَنْ عَطَاءٍ قَالَ: نَهَى رَسُولُ ٱللَّهِ ﷺ عَنِ الْعُمْرَى وَالرُّقْبَى قُلْتُ: وَمَا الرُّقْبَى؟ قَالَ: يَقُولُ الرَّجُلُ لِلرَّجُلِ: هِيَ لَكَ حَيَاتَكَ فَإِنْ فَعَلْتُمْ فَهُوَ جَائِزَةٌ.

3728 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: سَمِعْتُ قَتَادَةَ يُحَدِّثُ عَنْ عَطَاءٍ عَنْ جَابِرٍ عَنِ النَّبِيِّ ﷺ قَالَ: «**الْعُمْرَى جَائِزَةٌ**».

3729 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ عَبْدِ الْمَلِكِ بْنِ أَبِي سُلَيْمَانَ عَنْ عَطَاءٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ أُعْطِيَ شَيْئاً حَيَاتَهُ فَهُوَ لَهُ حَيَاتَهُ وَمَوْتَهُ**».

3730 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ عَنْ سُفْيَانَ عَنِ ٱبْنِ جُرَيْجٍ عَنْ عَطَاءٍ عَنْ جَابِرٍ رَضِيَ ٱللَّهُ عَنْهُ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**لاَ تُرْقِبُوا وَلاَ تُعْمِرُوا فَمَنْ أُرْقِبَ أَوْ أُعْمِرَ شَيْئاً فَهُوَ لِوَرَثَتِهِ**».

3731 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا ٱبْنُ جُرَيْجٍ عَنْ عَطَاءٍ أَنْبَأَنَا حَبِيبُ بْنُ أَبِي ثَابِتٍ عَنِ ٱبْنِ عُمَرَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**لاَ عُمْرَى وَلاَ رُقْبَى فَمَنْ أُعْمِرَ شَيْئاً أَوْ أُرْقِبَهُ فَهُوَ لَهُ حَيَاتَهُ وَمَمَاتَهُ**».

3732- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No lifetime gift, nor a gift in connection with which watching death is observed is (fitting for the interests of Muslims), and whoever is given anything by way of a lifetime gift, or by way of a gift in connection with which watching death is observed, it becomes right for him during his life as well as after his death." Ata' said: I.e. to the other (to whom it is given).

3733- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade the gift in connection with which watching death is observed and said: "He, who is given a gift in connection with which watching death is observed, it becomes right for him to whom it is given (continually)."

3734- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is given a lifetime gift, it becomes right for him to whom it is given (continually) during his lifetime as well as after his death."

3735- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "O community of Ansar! Withhold giving your property (to each other) by way of lifetime gifts, for he, who is given a lifetime gift, it becomes right for him (continually) during his lifetime and after his death."

3736- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Withhold giving your property (to each other) by way of lifetime gifts, for he, who is given a lifetime gift during his life, it becomes right for him (continually) during his lifetime and after his death."

3737- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The gift in connection with which watching death is observed becomes right for him to whom it is given (continually during his life and after his death)."

3738- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes a reward for such as to whom it is given, and the gift in connection with which watching death is observed becomes also a reward for such as to whom it is given."

3732 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ قَالَ: أَخْبَرَنِي عَطَاءٌ عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ عَنِ ٱبْنِ عُمَرَ وَلَمْ يَسْمَعْهُ مِنْهُ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ عُمْرَى وَلاَ رُقْبَى فَمَنْ أُعْمِرَ شَيْئاً أَوْ أُرْقِبَهُ فَهُوَ لَهُ حَيَاتَهُ وَمَمَاتَهُ»**. قَالَ عَطَاءٌ: **«هُوَ لِلآخِرِ»**.

3733 ـ أَخْبَرَنِي عَبْدَةُ بْنُ عَبْدِ الرَّحِيمِ قَالَ: أَنْبَأَنَا وَكِيعٌ عَنْ يَزِيدَ بْنِ زِيَادِ بْنِ أَبِي الْجَعْدِ عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ قَالَ: سَمِعْتُ ٱبْنَ عُمَرَ يَقُولُ: نَهَى رَسُولُ ٱللَّهِ ﷺ عَنِ الرُّقْبَى وَقَالَ: **«مَنْ أُرْقِبَ رُقْبَى فَهُوَ لَهُ»**.

3734 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا أَبُو عَاصِمٍ قَالَ: حَدَّثَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي أَبُو الزُّبَيْرِ أَنَّهُ سَمِعَ جَابِراً يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ أُعْمِرَ شَيْئاً فَهُوَ لَهُ حَيَاتَهُ وَمَمَاتَهُ»**.

3735 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ إِبْرَاهِيمَ بْنِ صُدْرَانَ عَنْ بِشْرِ بْنِ الْمُفَضَّلِ قَالَ: حَدَّثَنَا الْحَجَّاجُ الصَّوَّافُ عَنْ أَبِي الزُّبَيْرِ قَالَ: حَدَّثَنَا جَابِرٌ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«يَا مَعْشَرَ الأَنْصَارِ أَمْسِكُوا عَلَيْكُمْ يَعْنِي أَمْوَالَكُمْ لاَ تُعْمِرُوهَا فَإِنَّهُ مَنْ أَعْمَرَ شَيْئاً فَإِنَّهُ لِمَنْ أُعْمِرَهُ حَيَاتَهُ وَمَمَاتَهُ»**.

3736 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ عَنْ هِشَامٍ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«أَمْسِكُوا عَلَيْكُمْ أَمْوَالَكُمْ وَلاَ تُعْمِرُوهَا فَمَنْ أُعْمِرَ شَيْئاً حَيَاتَهُ فَهُوَ لَهُ حَيَاتَهُ وَبَعْدَ مَوْتِهِ»**.

3737 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ عَنْ دَاوُدَ بْنِ أَبِي هِنْدٍ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«الرُّقْبَى لِمَنْ أُرْقِبَهَا»**.

3738 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا هُشَيْمٌ عَنْ دَاوُدَ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْعُمْرَى جَائِزَةٌ لأَهْلِهَا وَالرُّقْبَى جَائِزَةٌ لأَهْلِهَا»**.

[3] The Different Citation-Forms Of Az-Zuhri's Narration

3739- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is given a lifetime gift becomes right for him, and for his offspring in the sense that it becomes a portion of his heritage inherited by his offspring after his death."

3740- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes right for him to whom it is given, and for his offspring in the sense that it becomes a portion of his heritage inherited by his offspring after him."

3741- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes right for him to whom it is given, and for his offspring in the sense that it becomes a portion of his heritage inherited by his offspring after him."

3742- It is narrated on the authority of Abdullah Ibn Az-Zubair that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever gives another a lifetime gift to be utilized by him as well as by his offspring after him, it should become right for him, as well as for such of his offspring as inherit his property after his death, since it becomes a portion of the heritage."

3743- It is narrated on the authority of Jabir that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "Whoever gives another a lifetime gift to be utilized by him as well as by his offspring after him, his statement has indeed cancelled his right (of restoring it), and thus it should become right for him, as well as for his offspring."

3744- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is donated a lifetime gift along with his offspring, then it should belong to the donee, and should not return to the donator, because he has given it as a gift to which the (rules of) inheritance would apply."

3745- It is narrated on the authority of Jabir that The Messenger of Allah "Allah's blessing and peace be upon him" passed his judgement concerning the one who gave a lifetime gift to another along with his offspring (after him), that it will be an irretrievable gift to him to whom it is given, in such a way that it should not be brought back to the giver, since it becomes a portion of the heritage of him (to whom it is given, to be inherited by his offspring after him) to which the rules and right of Allah's inheritance apply.

(3) ـ ذِكْرُ الاخْتِلافِ على الزُّهْرِيِّ فيه

3739 ـ أَخْبَرَنِي مَحْمُودُ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا عُمَرُ عَنِ الأَوْزَاعِيِّ حَدَّثَنَا ٱبْنُ شِهَابٍ قَالَ: وَأَخْبَرَنِي عَمْرُو بْنُ عُثْمَانَ أَنْبَأَنَا بَقِيَّةُ بْنُ الْوَلِيدِ عَنِ الأَوْزَاعِيِّ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ جَابِرٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ أُعْمِرَ عُمْرَى فَهِيَ لَهُ وَلِعَقِبِهِ يَرِثُهَا مَنْ يَرِثُهُ مِنْ عَقِبِهِ»**.

3740 ـ أَخْبَرَنَا عِيسَى بْنُ مُسَاوِرٍ قَالَ: حَدَّثَنَا الْوَلِيدُ قَالَ: حَدَّثَنَا أَبُو عَمْرٍو عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ عَنْ جَابِرٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْعُمْرَى لِمَنْ أُعْمِرَهَا هِيَ لَه وَلِعَقِبِهِ يَرِثُهَا مَنْ يَرِثُهُ مِنْ عَقِبِهِ»**.

3741 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ هِشَامٍ الْبَعْلَبَكِّيُّ قَالَ: حَدَّثَنَا الْوَلِيدُ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ وَأَبِي سَلَمَةَ عَنْ جَابِرٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْعُمْرَى لِمَنْ أُعْمِرَهَا هِيَ لَهُ وَلِعَقِبِهِ يَرِثُهَا مَنْ يَرِثُهُ مِنْ عَقِبِهِ»**.

3742 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الرَّحِيمِ قَالَ: حَدَّثَنَا عَمْرُو بْنُ أَبِي سَلَمَةَ الدِّمَشْقِيُّ عَنْ أَبِي عُمَرَ الصَّنْعَانِيِّ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَبْدِ ٱللَّهِ بْنِ الزُّبَيْرِ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«أَيُّمَا رَجُلٍ أَعْمَرَ رَجُلاً عُمْرَى لَهُ وَلِعَقِبِهِ فَهِيَ لَهُ وَلِمَنْ يَرِثُهُ مِنْ عَقِبِهِ مَوْرُوثَةٌ»**.

3743 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ جَابِرٍ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«مَنْ أَعْمَرَ رَجُلاً عُمْرَى لَهُ وَلِعَقِبِهِ فَقَدْ قَطَعَ قَوْلُهُ حَقَّهُ وَهِيَ لِمَنْ أُعْمِرَ وَلِعَقِبِهِ»**.

3744 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ سَلَمَةَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ عَنْ مَالِكٍ عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ عَنْ جَابِرٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«أَيُّمَا رَجُلٍ أُعْمِرَ عُمْرَى لَهُ وَلِعَقِبِهِ فَإِنَّهَا لِلَّذِي يُعْطَاهَا لاَ تَرْجِعُ إِلَى الَّذِي أَعْطَاهَا لأَنَّهُ أَعْطَى عَطَاءً وَقَعَتْ فِيهِ الْمَوَارِيثُ»**.

3745 ـ أَخْبَرَنَا عِمْرَانُ بْنُ بَكَّارٍ قَالَ: حَدَّثَنَا أَبُو الْيَمَانِ قَالَ: حَدَّثَنَا شُعَيْبٌ عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنِي أَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمٰنِ أَنَّ جَابِراً أَخْبَرَهُ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ قَضَى أَنَّهُ مَنْ أَعْمَرَ رَجُلاً عُمْرَى لَهُ وَلِعَقِبِهِ فَإِنَّهَا لِلَّذِي أُعْمِرَهَا يَرِثُهَا مِنْ صَاحِبِهَا الَّذِي أَعْطَاهَا مَا وَقَعَ مِنْ مَوَارِيثِ ٱللَّهِ وَحَقِّهِ».

3746- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" passed his judgement concerning the one who has been given a permanent life gift along with his offspring (after him), that it should be an irretrievable gift to him (and then to his offspring after him), in such a way that the donator would not be permitted to give any condition or exception as regards it. Abu Salamah said: That's because he (the donator) has given a gift to which the (rules of) inheritance would apply; and it is that which abrogated his condition.

3747- It is narrated on the authority of Abu Salamah Ibn Abd Ar-Rahman that Jabir Ibn Abdullah told him: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever donated a lifetime gift to somebody along with his offspring, by saying: 'I've given this as a lifetime gift to you and then to your offspring (after you) as long as anyone of you survives', then it should belong to the one to whom it was granted, and should not return to the donator, because he has given it as a gift to which the (rules of) inheritance would apply."

3748- It is narrated on the authority of Jabir Ibn Abdullah that The Messenger of Allah "Allah's blessing and peace be upon him" passed the judgement concerning the lifetime gift that a man gives a lifetime gift to another as well as to his offspring, making an exception that 'If something befalls you, and your offspring, it should go back to me and my offspring', that it becomes right for him, to whom it is given, as well as to his offspring after him.

[4] The Different Citation-Forms Of Abu Salamah's Narration

3749- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes right for such as to whom it is granted."

3750- It is narrated on the authority of Jabir Ibn Abdullah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift becomes right for such as to whom it is granted."

3751- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let no lifetime gift be done; and (it should be known that) whoever is given a lifetime gift it becomes right for such as to whom it is granted."

3752- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is given a lifetime gift, (it should be known that) it becomes right for such as to whom it is granted."

3746 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ بْنِ عَبْدِ الْحَكَمِ عَنِ ٱبْنِ أَبِي فُدَيْكٍ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي ذِئْبٍ عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ عَنْ جَابِرٍ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ قَضَى فِيمَنْ أُعْمِرَ عُمْرَى لَهُ وَلِعَقِبِهِ فَهِيَ لَهُ بَتْلَةٌ لاَ يَجُوزُ لِلْمُعْطِي مِنْهَا شَرْطٌ وَلاَ ثُنْيَا». قَالَ أَبُو سَلَمَةَ لأَنَّهُ أَعْطَى عَطَاءً وَقَعَتْ فِيهِ الْمَوَارِيثُ فَقَطَعَتِ الْمَوَارِيثُ شَرْطَهُ.

3747 ـ أَخْبَرَنَا أَبُو دَاوُدَ سُلَيْمَانُ بْنُ سَيْفٍ قَالَ: حَدَّثَنَا يَعْقُوبُ قَالَ: حَدَّثَنَا أَبِي عَنْ صَالِحٍ عَنِ ٱبْنِ شِهَابٍ أَنَّ أَبَا سَلَمَةَ أَخْبَرَهُ عَنْ جَابِرٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«أَيُّمَا رَجُلٍ أَعْمَرَ رَجُلاً عُمْرَى لَهُ وَلِعَقِبِهِ قَالَ قَدْ أَعْطَيْتُكَهَا وَعَقِبَكَ مَا بَقِيَ مِنْكُمْ أَحَدٌ فَإِنَّهَا لِمَنْ أُعْطِيهَا وَإِنَّهَا لاَ تَرْجِعُ إِلَى صَاحِبِهَا مِنْ أَجْلِ أَنَّهُ أَعْطَاهَا عَطَاءً وَقَعَتْ فِيهِ الْمَوَارِيثُ»**.

3748 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا سَعِيدٌ قَالَ: حَدَّثَنِي يَزِيدُ بْنُ أَبِي حَبِيبٍ عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ عَنْ جَابِرٍ: «أَنَّ رَسُولَ ٱللَّهِ ﷺ قَضَى بِالْعُمْرَى أَنْ يَهَبَ الرَّجُلُ لِلرَّجُلِ وَلِعَقِبِهِ الْهَبَةَ وَيَسْتَثْنِيَ إِنْ حَدَثَ بِكَ حَدَثٌ وَبِعَقِبِكَ فَهُوَ إِلَيَّ وَإِلَى عَقِبِي إِنَّهَا لَمِنْ أُعْطِيَهَا وَلِعَقِبِهِ».

(4) ـ ذِكْرُ اخْتِلافِ يَحْيَى بْنِ أَبِي كَثِيرٍ ومُحَمَّدِ بْنِ عَمْرٍو على أبي سَلَمَةَ فيه

3749 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدُ بْنُ الْحَارِثِ قَالَ: حَدَّثَنَا هِشَامٌ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي كَثِيرٍ قَالَ: حَدَّثَنِي أَبُو سَلَمَةَ قَالَ: سَمِعْتُ جَابِراً يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«الْعُمْرَى لِمَنْ وُهِبَتْ لَهُ»**.

3750 ـ أَخْبَرَنَا يَحْيَى بْنُ دُرُسْتَ قَالَ: حَدَّثَنَا أَبُو إِسْمَاعِيلَ قَالَ: حَدَّثَنَا يَحْيَى أَنَّ أَبَا سَلَمَةَ حَدَّثَهُ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ عَنْ نَبِيِّ ٱللَّهِ ﷺ قَالَ: **«الْعُمْرَى لِمَنْ وُهِبَتْ لَهُ»**.

3751 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا إِسْمَاعِيلُ عَنْ مُحَمَّدٍ عَنْ أَبِي سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لاَ عُمْرَى فَمَنْ أُعْمِرَ شَيْئاً فَهُوَ لَهُ»**.

3752 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عِيسَى وَعَبْدَةُ بْنُ سُلَيْمَانَ قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَمْرٍو قَالَ: حَدَّثَنَا أَبُو سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«مَنْ أُعْمِرَ شَيْئاً فَهُوَ لَهُ»**.

3753- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift is permissible (to become right for such as to whom it is given)."

3754- It is narrated on the authority of Qatadah that he said: Sulaiman Ibn Hisham asked me about the lifetime gift, and I told him that Muhammad Ibn Sirin told me from Shuraih: The Messenger of Allah "Allah's blessing and peace be upon him" judged that the lifetime gift is permissible (to become right for such as to whom it is given)."

3755- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift is permissible (to become right for such as to whom it is given)."

3756- It is narrated on the authority of Qatadah that he said: Al-Hasan used to say: "The lifetime gift is permissible (to become right for such as to whom it is given)."

3757- It is narrated on the authority of Qatadah that he said: Az-Zuhri says: "The lifetime gift (becomes right for such as to whom it is given in case it) is granted to one and to his offspring after him. But in case it is not made to his offspring after him, its giver has (the right to stipulate) such of conditions (as he likes)."

3758- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift is permissible (to become right for such as to whom it is given)."

3759- It is narrated on the authority of Qatadah that he said: Az-Zuhri says: "But even, the caliphs did not adopt this judgement."

3760- It is narrated on the authority of Ata' that he said: "But Abd Al-Malik Ibn Marwan passed the same judgement (that the lifetime gift is permissible to become right for such as to whom it is given)."

[5] The Woman's Gift Without The Leave Of Her Husband

3761- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not fitting for a woman to give a gift from her own property as long as she is under the guardianship of her husband." (But however, this does not mean that her gift is not permissible at any way).

3762- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" conquered Mecca, he stood and delivered a

3753 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ عَنِ النَّضْرِ بْنِ أَنَسٍ عَنْ بَشِيرِ بْنِ نَهِيكٍ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«الْعُمْرَى جَائِزَةٌ»**.

3754 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا مُعَاذُ بْنُ هِشَامٍ قَالَ: حَدَّثَنِي أَبِي عَنْ قَتَادَةَ قَالَ: سَأَلَنِي سُلَيْمَانُ بْنُ هِشَامٍ عَنِ الْعُمْرَى فَقُلْتُ: حَدَّثَ مُحَمَّدُ بْنُ سِيرِينَ عَنْ شُرَيْحٍ قَالَ: «قَضَى نَبِيُّ اللَّهِ ﷺ أَنَّ الْعُمْرَى جَائِزَةٌ».

3755 ـ قَالَ قَتَادَةُ: قُلْتُ حَدَّثَنِي مُحَمَّدُ بْنُ النَّضْرِ بْنِ أَنَسٍ عَنْ بَشِيرِ بْنِ نَهِيكٍ عَنْ أَبِي هُرَيْرَةَ أَنَّ نَبِيَّ اللَّهِ ﷺ قَالَ: **«الْعُمْرَى جَائِزَةٌ»**.

3756 ـ قَالَ قَتَادَةُ وَقُلْتُ: كَانَ الْحَسَنُ يَقُولُ: «الْعُمْرَى جَائِزَةٌ».

3757 ـ قَالَ قَتَادَةُ: فَقَالَ الزُّهْرِيُّ: إِنَّمَا الْعُمْرَى إِذَا أُعْمِرَ وَعَقِبُهُ مِنْ بَعْدِهِ فَإِذَا لَمْ يَجْعَلْ عَقِبَهُ مِنْ بَعْدِهِ كَانَ لِلَّذِي يَجْعَلُ شَرْطَهُ.

3758 ـ قَالَ قَتَادَةُ فَسُئِلَ عَطَاءُ بْنُ أَبِي رَبَاحٍ فَقَالَ: حَدَّثَنِي جَابِرُ بْنُ عَبْدِ اللَّهِ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«الْعُمْرَى جَائِزَةٌ»**.

3759 ـ قَالَ قَتَادَةُ: فَقَالَ الزُّهْرِيُّ: كَانَ الْخُلَفَاءُ لاَ يَقْضُونَ بِهٰذَا.

3760 ـ قَالَ عَطَاءٌ: قَضَى بِهَا عَبْدُ الْمَلِكِ بْنُ مَرْوَانَ.

(5) ـ عَطِيَّةُ الْمَرْأَةِ بِغَيْرِ إِذْنِ زَوْجِهَا

3761 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْمَرٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ ح. وَأَخْبَرَنِي إِبْرَاهِيمُ بْنُ يُونُسَ بْنِ مُحَمَّدٍ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ دَاوُدَ وَهُوَ ابْنُ أَبِي هِنْدٍ وَحَبِيبٌ الْمُعَلِّمُ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ يَجُوزُ لِامْرَأَةٍ هِبَةٌ فِي مَالِهَا إِذَا مَلَكَ زَوْجُهَا عِصْمَتَهَا»**. اللفظ لمحمد.

3762 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا حُسَيْنٌ الْمُعَلِّمُ عَنْ عَمْرِو بْنِ شُعَيْبٍ أَنَّ أَبَاهُ حَدَّثَهُ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو ح. وَأَخْبَرَنَا حُمَيْدُ بْنُ مَسْعَدَةَ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا حُسَيْنٌ الْمُعَلِّمُ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ: لَمَّا فَتَحَ رَسُولُ اللَّهِ ﷺ مَكَّةَ قَامَ خَطِيباً فَقَالَ فِي

sermon in which he said: "It is not permissible for a woman to give a gift (from her own property) without the leave of her husband."

3763- It is narrated on the authority of Abd Ar-Rahman Ibn Alqamah Ath-Thaqafi that he said: The delegate of Thaqif came to The Messenger of Allah "Allah's blessing and peace be upon him", having a present with them. He said to them: "Is it a present or an object of charity? If it is a present, then, it is the countenance of The Messenger of Allah "Allah's blessing and peace be upon him" that should be sought with it, and the fulfillment of the need; and if it is an object of charity, it is the Countenance of Allah Almighty that should be sought with it." They said: "No, it is a present." Then he accepted it from them. He sat with them (for a long time) asking them (about their affairs) as well as they were asking him (about the matters of religion), to the extent that he combined both Zhuhr and Asr prayers.

3764- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've intended not to accept a present except from one belonging to the Quraish, the Ansar, the (tribe of) Thaqif, or the (tribe of) Daws."

3765- It is narrated on the authority of Anas Ibn Malik that once meat was brought to The Messenger of Allah "Allah's blessing and peace be upon him" to eat, thereupon he asked: "What is that?" it was said: "It is something given to Barirah in charity." On that he said: "It is an object of charity (when it is given) to her, and (when she gives it) to us, it is a gift."

خُطْبَتِهِ: «لاَ يَجُوزُ لامْرَأَةٍ عَطِيَّةٌ إِلاَّ بِإِذْنِ زَوْجِهَا».

3763 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ قَالَ: حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ عَنْ يَحْيَى بْنِ أَبِي هَانِىءٍ عَنْ أَبِي حُذَيْفَةَ عَنْ عَبْدِ الْمَلِكِ بْنِ مُحَمَّدِ بْنِ بَشِيرٍ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَلْقَمَةَ الثَّقَفِيِّ قَالَ: قَدِمَ وَفْدُ ثَقِيفٍ عَلَى رَسُولِ ٱللَّهِ ﷺ وَمَعَهُمْ هَدِيَّةٌ فَقَالَ: «أَهَدِيَّةٌ أَمْ صَدَقَةٌ؟ فَإِنْ كَانَتْ هَدِيَّةً فَإِنَّمَا يُبْتَغَى بِهَا وَجْهُ رَسُولِ ٱللَّهِ ﷺ وَقَضَاءُ الْحَاجَةِ وَإِنْ كَانَتْ صَدَقَةً فَإِنَّمَا يُبْتَغَى بِهَا وَجْهُ ٱللَّهِ عَزَّ وَجَلَّ» قَالُوا: لاَ بَلْ هَدِيَّةٌ فَقَبِلَهَا مِنْهُمْ وَقَعَدَ مَعَهُمْ يُسَائِلُهُمْ وَيُسَائِلُونَهُ حَتَّى صَلَّى الظُّهْرَ مَعَ الْعَصْرِ.

3764 ـ أَخْبَرَنَا أَبُو عَاصِمٍ خُشَيْشُ بْنُ أَصْرَمَ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا مَعْمَرٌ عَنِ ٱبْنِ عَجْلاَنَ عَنْ سَعِيدٍ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «لَقَدْ هَمَمْتُ أَنْ لاَ أَقْبَلَ هَدِيَّةً إِلاَّ مِنْ قُرَشِيٍّ أَوْ أَنْصَارِيٍّ أَوْ ثَقَفِيٍّ أَوْ دَوْسِيٍّ».

3765 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا وَكِيعٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ عَنْ أَنَسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ أُتِيَ بِلَحْمٍ فَقَالَ: «مَا هٰذَا؟» فَقِيلَ: تُصُدِّقَ بِهِ عَلَى بَرِيرَةَ فَقَالَ: «هُوَ لَهَا صَدَقَةٌ وَلَنَا هَدِيَّةٌ».

(35) THE BOOK OF OATHS AND VOWS

[1]

3766- It is narrated on the authority of Ibn Umar that he said: The oath which The Messenger of Allah "Allah's blessing and peace be upon him" used to take whenever he swore was: "No, by Him, Who turns the hearts!"

[2] Taking Oath By Him Who Changes The Hearts In Many Ways

3767- It is narrated on the authority of Ibn Umar that he said: The oath which The Messenger of Allah "Allah's blessing and peace be upon him" used to take whenever he swore was: "No, by Him, Who changes the hearts in so many ways!"

[3] Taking Oath By The Power And Honour Of Allah Almighty

3768- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When Allah created the Garden He said to Gabriel: "O Gabriel! Go and catch a glimpse of it, and of what I've prepared for its inhabitants in it." He went and looked at it and returned and said: "O Lord! By Your Power and Honour! None hears of it but that he will (hasten to) enter it (in desire for its pleasures and delights)." Then, He Almighty surrounded it with the hateful things (referring to the judgements and commandments of law enjoined upon the people against their will), and then said to him: "O Gabriel! Go and catch a glimpse of it." He went and looked at it and then he returned and said: "O Lord! By Your Power and Honour! I fear none will (have wish to) enter it." When Allah created the fire (of Hell) He said to Gabriel: "O Gabriel! Go and catch a glimpse of it, and of what I've prepared for its denizens in it." He went and looked at it and behold! Its different parts were overlapping each other! He then returned and said: "O Lord! By Your Power and Honour! None hears of it but that he will have no (desire to) enter it (for fear of its severity)." Then, He Almighty ordered that it be surrounded by the things that are desired and coveted for, and then said to him: "O Gabriel! Go and catch a glimpse of it." He went and looked at it and behold! It was surrounded by the things that are desired and coveted for. then he returned and said: "O Lord! By Your Power and Honour! I fear none remains but that he will enter it."

[4] The Severe Warning Of Swearing By Anything Other Than Allah

3769- It is narrated on the authority of Ibn Umar that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone is inevitably going to swear, let not him take an oath but with Allah

(35) ـ كِتَابُ الأَيْمَانِ والنُّذُورِ

(1) ـ [بابٌ]

3766 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ الرَّهَاوِيُّ وَمُوسَى بْنُ عَبْدِ الرَّحْمٰنِ قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ مُوسَى بْنِ عُقْبَةَ عَنْ سَالِمِ بْنِ عَبْدِ ٱللَّهِ بْنِ عُمَرَ عَنِ ٱبْنِ عُمَرَ قَالَ: «كَانَتْ يَمِينٌ يَحْلِفُ عَلَيْهَا رَسُولُ ٱللَّهِ ﷺ لاَ وَمُقَلِّبِ الْقُلُوبِ».

(2) ـ الحَلْفُ بِمُصَرِّفِ القُلُوبِ

3767 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ يَحْيَى بْنِ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ الصَّلْتِ أَبُو يَعْلَى قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ رَجَاء عَنْ عَبَّادِ بْنِ إِسْحَاقَ عَنِ الزُّهْرِيِّ عَنْ سَالِمٍ عَنْ أَبِيهِ قَالَ: «كَانَتْ يَمِينُ رَسُولِ ٱللَّهِ ﷺ الَّتِي يَحْلِفُ بِهَا لاَ وَمُصَرِّفِ الْقُلُوبِ».

(3) ـ الحَلْفُ بِعِزَّةِ الله تَعَالَى

3768 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا الْفَضْلُ بْنُ مُوسَى قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ عَمْرٍو قَالَ: حَدَّثَنَا أَبُو سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«لَمَّا خَلَقَ ٱللَّهُ الْجَنَّةَ وَالنَّارَ أَرْسَلَ جِبْرِيلَ عَلَيْهِ السَّلاَمُ إِلَى الْجَنَّةِ فَقَالَ: ٱنْظُرْ إِلَيْهَا وَإِلَى مَا أَعْدَدْتُ لأَهْلِهَا فِيهَا فَنَظَرَ إِلَيْهَا فَرَجَعَ فَقَالَ: وَعِزَّتِكَ لاَ يَسْمَعُ بِهَا أَحَدٌ إِلاَّ دَخَلَهَا فَأَمَرَ بِهَا فَحُفَّتْ بِالْمَكَارِهِ فَقَالَ: ٱذْهَبْ إِلَيْهَا فَانْظُرْ إِلَيْهَا وَإِلَى مَا أَعْدَدْتُ لأَهْلِهَا فِيهَا فَنَظَرَ إِلَيْهَا فَإِذَا هِيَ قَدْ حُفَّتْ بِالْمَكَارِهِ فَقَالَ: وَعِزَّتِكَ لَقَدْ خَشِيتُ أَنْ لاَ يَدْخُلَهَا أَحَدٌ قَالَ: ٱذْهَبْ فَانْظُرْ إِلَى النَّارِ وَإِلَى مَا أَعْدَدْتُ لأَهْلِهَا فِيهَا فَنَظَرَ إِلَيْهَا فَإِذَا هِيَ يَرْكَبُ بَعْضُهَا بَعْضاً فَرَجَعَ فَقَالَ: وَعِزَّتِكَ لاَ يَدْخُلُهَا أَحَدٌ فَأَمَرَ بِهَا فَحُفَّتْ بِالشَّهَوَاتِ فَقَالَ: ٱرْجِعْ فَانْظُرْ إِلَيْهَا فَنَظَرَ إِلَيْهَا فَإِذَا هِيَ قَدْ حُفَّتْ بِالشَّهَوَاتِ فَرَجَعَ وَقَالَ: وَعِزَّتِكَ لَقَدْ خَشِيتُ أَنْ لاَ يَنْجُوَ مِنْهَا أَحَدٌ إِلاَّ دَخَلَهَا».**

(4) ـ التَّشْدِيدُ فِي الحَلْفِ بِغَيْرِ الله تعالى

3769 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ عَنْ إِسْمَاعِيلَ وَهُوَ ٱبْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ دِينَارٍ عَنِ ٱبْنِ عُمَرَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ كَانَ حَالِفاً فَلاَ يَحْلِفْ إِلاَّ بِاللَّهِ».**

Almighty." However, it was the habit of the Quraish (people) to swear by their fathers, thereupon the Prophet said: "Do not swear by your fathers."

3770- It is narrated on the authority of Abdullah Ibn Umar that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah forbids you to swear by your fathers."

[5] Taking Oaths By Fathers

3771- It is narrated on the authority of Salim from his father that once the Messenger of Allah "Allah's blessing and peace be upon him" heard Umar having said: "By my father! By my father!" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah forbids you to take oaths by your fathers." (Umar said): "By Allah! Afterwards I've never uttered it whether by myself or on relating anything (from others)."

3772- It is narrated on the authority of Salim from his father from Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah forbids you to take oaths by your fathers." Umar said: "By Allah! Afterwards I've never uttered it whether by myself or on relating anything (from others)."

3773- It is narrated on the authority of Salim from his father from Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah forbids you to take oaths by your fathers." Umar said: "By Allah! Afterwards I've never uttered it whether by myself or on relating anything (from others)."

[6] Taking Oaths By Mothers

3774- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not swear by your fathers, nor by your mothers, nor by the (idols which the pagans make) rivals (onto the God); and do not swear but by Allah Almighty, and do not swear unless you are truthful."

[7] Swearing By Any Cult Other Than Islam

3775- It is narrated on the authority of Thabit Ibn Ad-Dahhak that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes oath by any cult other than Islam (such as Christianity, Judaism, Magianism etc), while he is telling a lie, (or intentionally according to the narration of Qutaibah), he is then (a pagan or an infidel) the same as he says (about himself); and he, who commits suicide by anything, Allah Almighty will punish him with the same thing in the fire of Hell."

وَكَانَتْ قُرَيْشٌ تَحْلِفُ بِآبَائِهَا فَقَالَ: «لاَ تَحْلِفُوا بِآبَائِكُمْ».

3770 ـ أَخْبَرَنِي زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا ٱبْنُ عُلَيَّةَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي إِسْحَاقَ قَالَ: حَدَّثَنِي رَجُلٌ مِنْ بَنِي غِفَارٍ فِي مَجْلِسِ سَالِمِ بْنِ عَبْدِ ٱللَّهِ قَالَ سَالِمُ بْنُ عَبْدِ ٱللَّهِ: يَعْنِي ٱبْنَ عُمَرَ وَهُوَ يَقُولُ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «إِنَّ ٱللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ».

(5) ـ الحَلْفُ بالآبَاءِ

3771 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ وَقُتَيْبَةُ بْنُ سَعِيدٍ وَاللَّفْظُ لَهُ قَالاَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ سَالِمٍ عَنْ أَبِيهِ: أَنَّهُ سَمِعَ النَّبِيَّ ﷺ عُمَرَ مَرَّةً وَهُوَ يَقُولُ: وَأَبِي وَأَبِي فَقَالَ: «إِنَّ ٱللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ» فَوَٱللَّهِ مَا حَلَفْتُ بِهَا بَعْدُ ذَاكِراً وَلاَ آثِراً.

3772 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ وَسَعِيدُ بْنُ عَبْدِ الرَّحْمٰنِ وَاللَّفْظُ لَهُ قَالاَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ سَالِمٍ عَنْ أَبِيهِ عَنْ عُمَرَ: أَنَّ النَّبِيَّ ﷺ قَالَ: «إِنَّ ٱللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ» قَالَ عُمَرُ: فَوَٱللَّهِ مَا حَلَفْتُ بِهَا بَعْدُ ذَاكِراً وَلاَ آثِراً.

3773 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدٍ قَالَ: أَنْبَأَنَا مُحَمَّدٌ وَهُوَ ٱبْنُ حَرْبٍ عَنِ الزُّبَيْدِيِّ عَنِ الزُّهْرِيِّ عَنْ سَالِمٍ عَنْ أَبِيهِ: أَنَّهُ أَخْبَرَهُ عَنْ عُمَرَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «إِنَّ ٱللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ». قَالَ عُمَرُ: فَوَٱللَّهِ مَا حَلَفْتُ بِهَا بَعْدُ ذَاكِراً وَلاَ آثِراً».

(6) ـ الحَلْفُ بالأُمَّهَاتِ

3774 ـ أَخْبَرَنَا أَبُو بَكْرِ بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ مُعَاذٍ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا عَوْفٌ عَنْ مُحَمَّدِ بْنِ سِيرِينَ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ تَحْلِفُوا بِآبَائِكُمْ وَلاَ بِأُمَّهَاتِكُمْ وَلاَ بِالأَنْدَادِ وَلاَ تَحْلِفُوا إِلاَّ بِٱللَّهِ وَلاَ تَحْلِفُوا إِلاَّ وَأَنْتُمْ صَادِقُونَ».

(7) ـ الحَلْفُ بِمِلَّةٍ سِوَى الإِسْلامِ

3775 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي عَدِيٍّ عَنْ خَالِدٍ ح. وَأَنْبَأَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا يَزِيدُ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ أَبِي قِلاَبَةَ عَنْ ثَابِتِ بْنِ الضَّحَّاكِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «مَنْ حَلَفَ بِمِلَّةٍ سِوَى الإِسْلاَمِ كَاذِباً فَهُوَ كَمَا قَالَ» قَالَ قُتَيْبَةُ فِي حَدِيثِهِ: «مُتَعَمِّداً» وَقَالَ يَزِيدُ: «كَاذِباً فَهُوَ كَمَا قَالَ وَمَنْ قَتَلَ نَفْسَهُ بِشَيْءٍ عَذَّبَهُ ٱللَّهُ بِهِ فِي نَارِ جَهَنَّمَ».

3776- It is narrated on the authority of Thabit Ibn Ad-Dahhak that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes oath by any cult other than Islam (such as Christianity, Judaism, Magianism etc), while he is telling a lie, he is then (a pagan or an infidel) the same as he says (about himself); and he, who commits suicide by anything, Allah Almighty will punish him with the same thing in the fire of Hell."

[8] Taking Oath By Being Free From Islam

3777- It is narrated on the authority of Abdullah Ibn Buraidah from his father that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who says: 'I'm free from Islam' (by way of swearing): if he has told a lie, then, he is the same as he describes himself; and if he has told the truth, he will never return to Islam with the same soundness (as he was before taking such oath)."

[9] Swearing By The Ka'bah

3778- It is narrated on the authority of Qutailah, a woman belonging to (the tribe of) Juhainah, that a Jew came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "No doubt, you (Muslims) take rivals, and join things with Allah (in service): you say: 'As Allah and you (Messenger of Allah) will' and say: 'By the Ka'bah'." On that the Messenger of Allah "Allah's blessing and peace be upon him" ordered them to say, if they wanted to swear: "By the Lord of the Ka'bah", and to say: "As Allah Almighty wills, and as you (Messenger of Allah) will."

[10] Swearing by idols

3779- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not swear by your fathers, nor by the idols."

[11] Swearing By Lati

3780- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes oath, saying (even unintentionally): 'By Lati', let him say at once: 'There is no god (to be worshipped) but Allah'; and he, who says to his companion: "Come so that I would gamble you', let him then give in charity."

[12] Taking Oath By Lati And Uzza

3781- It is narrated on the authority of Mus'ab Ibn Sa'd from his father that he said: We were discussing some affairs, and at that time, I was still close to the time of ignorance, thereupon I took oath by Lati and Uzza. On

3776 ـ أَخْبَرَنِي مَحْمُودُ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا أَبُو الْوَلِيدِ قَالَ: حَدَّثَنَا أَبُو عَمْرٍو عَنْ يَحْيَى أَنَّهُ حَدَّثَهُ قَالَ: حَدَّثَنِي أَبُو قِلاَبَةَ قَالَ: حَدَّثَنِي ثَابِتُ بْنُ الضَّحَّاكِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«مَنْ حَلَفَ بِمِلَّةٍ سِوَى الإِسْلاَمِ كَاذِباً فَهُوَ كَمَا قَالَ، وَمَنْ قَتَلَ نَفْسَهُ بِشَيْءٍ عُذِّبَ بِهِ فِي الآخِرَةِ»**.

(8) ـ الحَلْفُ بالبَرَاءَةِ مِنَ الإِسْلامِ

3777 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ حُرَيْثٍ قَالَ: حَدَّثَنَا الْفَضْلُ بْنُ مُوسَى عَنْ حُسَيْنِ بْنِ وَاقِدٍ عَنْ عَبْدِ ٱللَّهِ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ **«مَنْ قَالَ إِنِّي بَرِيءٌ مِنَ الإِسْلاَمِ فَإِنْ كَانَ كَاذِباً فَهُوَ كَمَا قَالَ وَإِنْ كَانَ صَادِقاً لَمْ يَعُدْ إِلَى الإِسْلاَمِ سَالِماً»**.

(9) ـ الحَلْفُ بالكَعْبَةِ

3778 ـ أَخْبَرَنَا يُوسُفُ بْنُ عِيسَى قَالَ: حَدَّثَنَا الْفَضْلُ بْنُ مُوسَى قَالَ: حَدَّثَنَا مِسْعَرٌ عَنْ مَعْبَدِ بْنِ خَالِدٍ عَنْ عَبْدِ ٱللَّهِ بْنِ يَسَارٍ عَنْ قُتَيْلَةَ ٱمْرَأَةٍ مِنْ جُهَيْنَةَ: «أَنَّ يَهُودِيّاً أَتَى النَّبِيَّ ﷺ فَقَالَ: إِنَّكُمْ تُنَدِّدُونَ وَإِنَّكُمْ تُشْرِكُونَ تَقُولُونَ مَا شَاءَ ٱللَّهُ وَشِئْتَ وَتَقُولُونَ وَالْكَعْبَةِ فَأَمَرَهُمُ النَّبِيُّ ﷺ إِذَا أَرَادُوا أَنْ يَحْلِفُوا أَنْ يَقُولُوا وَرَبِّ الْكَعْبَةِ وَيَقُولُونَ مَا شَاءَ ٱللَّهُ ثُمَّ شِئْتَ».

(10) ـ الحَلْفُ بالطَّوَاغِيتِ

3779 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا يَزِيدُ قَالَ: أَنْبَأَنَا هِشَامٌ عَنِ الْحَسَنِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ تَحْلِفُوا بِآبَائِكُمْ وَلاَ بِالطَّوَاغِيتِ»**.

(11) ـ الحَلْفُ باللَّاتِ

3780 ـ أَخْبَرَنَا كَثِيرُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ حَرْبٍ عَنِ الزُّبَيْدِيِّ عَنِ الزُّهْرِيِّ عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ **«مَنْ حَلَفَ مِنْكُمْ فَقَالَ بِاللاَّتِ فَلْيَقُلْ لاَ إِلٰهَ إِلاَّ ٱللَّهُ وَمَنْ قَالَ لِصَاحِبِهِ: تَعَالَ أُقَامِرْكَ فَلْيَتَصَدَّقْ»**.

(12) ـ الحَلْفُ باللَّاتِ والعُزَّى

3781 ـ أَخْبَرَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا الْحَسَنُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا زُهَيْرٌ قَالَ: حَدَّثَنَا أَبُو إِسْحَاقَ عَنْ مُصْعَبِ بْنِ سَعْدٍ عَنْ أَبِيهِ قَالَ: كُنَّا نَذْكُرُ بَعْضَ الأَمْرِ وَأَنَا حَدِيثُ عَهْدٍ

that some from amongst the companions of the Messenger of Allah "Allah's blessing and peace be upon him" said to me: "How bad is that which you've said! Go to the Messenger of Allah "Allah's blessing and peace be upon him", and tell him of that, for we do not see but you've become infidel." I went to him, and told him of that, thereupon he said to me: "Say: 'There is no god (to be worshipped) but Allah, the One and Only, with Whom there is no partner' thrice, seek refuge with Allah from Satan thrice, spit on your left side thrice, and do not return to that (utterance)."

3782- It is narrated on the authority of Mus'ab Ibn Sa'd from his father that he said: I swore by Lati and Uzza, thereupon my companions said to me: "How bad is that which you've said! You've uttered a foul wording." I went to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him, thereupon he said: "Say: 'There is no god (to be worshipped) but Allah, the One and Only, with Whom there is no partner: to Him be the dominion, and to Him be the praise: and He has power over all things', spit on your left side thrice, and seek refuge with Allah from Satan, and do not return to that once again."

[13] Fulfilling The Oath

3783- It is narrated on the authority of Al-Bara Ibn Azib that he said: The Messenger of Allah "Allah's blessing and peace be upon him" ordered us to do seven things. He ordered us to follow the funeral procession, to visit the patient (in order to enquire about his health), to reply to the sneezer (by saying: Might Allah bestow mercy upon you, in case he said after sneezing: Praise be to Allah), to accept the invitation, to help the wronged (take his right), to fulfill the oath, and to greet whomever we meet.

[14] When One Takes Oath To Do Something And Then Sees That It Is Better To Do Another

3784- It is narrated on the authority of Abu Musa that The Messenger of Allah "Allah's blessing and peace be upon him" said: "I never take an oath to do something on earth and then see that it is more beneficial to do another thing, but that I would do what is better (and make expiation for my oath)."

[15] Making Expiation Before Breaking The Oath

3785- It is narrated on the authority of Abu Musa that he said: I went to The Prophet "Allah's blessing and peace be upon him" along with a group of The Ash'arites, asking him to provide us with means of conveyance. He said: "By Allah, I will not provide you with any means of conveyance; and I have nothing to make you ride on." We stayed as long as Allah wished. Then some camels were brought to The Messenger of Allah "Allah's blessing and

بِالْجَاهِلِيَّةِ فَحَلَفْتُ بِاللاَّتِ وَالْعُزَّى فَقَالَ لِي أَصْحَابُ رَسُولِ ٱللَّهِ ﷺ : بِئْسَ مَا قُلْتَ ائْتِ رَسُولَ ٱللَّهِ ﷺ فَأَخْبِرْه فَإِنَّا لاَ نَرَاكَ إِلاَّ قَدْ كَفَرْتَ فَأَتَيْتُهُ فَأَخْبَرْتُهُ فَقَالَ لِي: «**قُلْ لاَ إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ ثَلاَثَ مَرَّاتٍ وَتَعَوَّذْ بِاللَّهِ مِنَ الشَّيْطَانِ ثَلاَثَ مَرَّاتٍ وَٱتْفُلْ عَنْ يَسَارِكَ ثَلاَثَ مَرَّاتٍ وَلاَ تَعُدْ لَهُ**».

3782 ـ أَخْبَرَنَا عَبْدُ الْحَمِيدِ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا مَخْلَدٌ قَالَ: حَدَّثَنَا يُونُسُ بْنُ أَبِي إِسْحَاقَ عَنْ أَبِيهِ قَالَ: حَدَّثَنِي مُصْعَبُ بْنُ سَعْدٍ عَنْ أَبِيهِ قَالَ: حَلَفْتُ بِاللاَّتِ وَالْعُزَّى فَقَالَ لِي أَصْحَابِي: بِئْسَ مَا قُلْتَ قُلْتَ هُجْراً، فَأَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فَذَكَرْتُ ذٰلِكَ لَهُ فَقَالَ: «**قُلْ لاَ إِلَهَ إِلاَّ ٱللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ لَهُ الْمُلْكُ وَلَهُ الْحَمْدُ وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ وَٱتْفُثْ عَنْ يَسَارِكَ ثَلاَثاً وَتَعَوَّذْ بِاللَّهِ مِنَ الشَّيْطَانِ ثُمَّ لاَ تَعُدْ**».

(13) ـ إِبْرَارُ الْقَسَمِ

3783 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى وَمُحَمَّدُ بْنُ بَشَّارٍ عَنْ مُحَمَّدٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنِ الأَشْعَثِ بْنِ سُلَيْمٍ عَنْ مُعَاوِيَةَ بْنِ سُوَيْدِ بْنِ مُقَرِّنٍ عَنِ الْبَرَاءِ بْنِ عَازِبٍ قَالَ: «أَمَرَنَا رَسُولُ ٱللَّهِ ﷺ بِسَبْعٍ أَمَرَنَا بِاتِّبَاعِ الْجَنَائِزِ وَعِيَادَةِ الْمَرِيضِ وَتَشْمِيتِ الْعَاطِسِ وَإِجَابَةِ الدَّاعِي وَنَصْرِ الْمَظْلُومِ وَإِبْرَارِ الْقَسَمِ وَرَدِّ السَّلاَمِ».

(14) ـ مَنْ حَلَفَ على يَمِينٍ فَرَأَى غَيْرَها خَيْراً منها

3784 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي عَدِيٍّ عَنْ سُلَيْمَانَ عَنْ أَبِي السَّلِيلِ عَنْ زَهْدَمٍ عَنْ أَبِي مُوسَى عَنِ النَّبِيِّ ﷺ قَالَ: «**مَا عَلَى الأَرْضِ يَمِينٌ أَحْلِفُ عَلَيْهَا فَأَرَى غَيْرَهَا خَيْراً مِنْهَا إِلاَّ أَتَيْتُهُ**».

(15) ـ الكَفَّارَةُ قبل الحِنْثِ

3785 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ غَيْلاَنَ بْنِ جَرِيرٍ عَنْ أَبِي بُرْدَةَ عَنْ أَبِي مُوسَى الأَشْعَرِيِّ قَالَ: أَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فِي رَهْطٍ مِنَ الأَشْعَرِيِّينَ نَسْتَحْمِلُهُ فَقَالَ: «**وَٱللَّهِ لاَ أَحْمِلُكُمْ وَمَا عِنْدِي مَا أَحْمِلُكُمْ**» ثُمَّ لَبِثْنَا مَا شَاءَ ٱللَّهُ فَأُتِيَ بِإِبِلٍ

peace be upon him" and he ordered that we should be given three camels. When we set out we (or some of us) said: "By Allah! We will never be blessed (with what we have been given). We came to The Prophet "Allah's blessing and peace be upon him" and asked him to provide us with means of conveyance, but he took an oath not to provide us with any means of conveyance. (Let's go and remind him)." We returned and told him. He replied: "I have not provided you with means of conveyance, but it is Allah Who has provided you with it, and by Allah, Allah willing, if I take an oath to do something, and later on I find out that it is more beneficial to do something different, I will give expiation for my oath and do the thing which is better."

3786- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath to do something, and then he sees that it is much better to do another thing, let him make expiation for his oath, and then do what is better."

3787- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you takes an oath to do something, and then he sees that it is much better to do another thing, let him make expiation for his oath, and then consider what is better and do it."

3788- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If you take an oath to do something, (and then you see that it is much better to do another thing), make expiation for your oath, and then do what is better."

3789- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "If you take an oath to do something, and then you see that it is much better to do another thing, make expiation for your oath, and do what is better."

[16] Making Expiation After Breaking The Oath

3790- It is narrated on the authority of Adi Ibn Hatim that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath to do something, and then he sees that it is much better to do another thing, let him do what is better and make expiation for his oath."

3791- It is narrated on the authority of Adi Ibn Hatim that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath to do something, and then he sees that it is much better to

فَأَمَرَ لَنَا بِثَلاَثِ ذَوْدٍ فَلَمَّا ٱنْطَلَقْنَا قَالَ بَعْضُنَا لِبَعْضٍ: لاَ يُبَارِكُ ٱللَّهُ لَنَا أَتَيْنَا رَسُولَ ٱللَّهِ ﷺ نَسْتَحْمِلُهُ فَحَلَفَ أَنْ لاَ يَحْمِلَنَا قَالَ أَبُو مُوسَى: فَأَتَيْنَا النَّبِيَّ ﷺ فَذَكَرْنَا ذٰلِكَ لَهُ فَقَالَ: **«مَا أَنَا حَمَلْتُكُمْ بَلِ ٱللَّهُ حَمَلَكُمْ إِنِّي وَٱللَّهِ لاَ أَحْلِفُ عَلَى يَمِينٍ فَأَرَى غَيْرَهَا خَيْراً مِنْهَا إِلاَّ كَفَّرْتُ عَنْ يَمِينِي وَأَتَيْتُ الَّذِي هُوَ خَيْرٌ»**.

3786 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ ٱللَّهِ بْنِ الأَخْنَسِ قَالَ: حَدَّثَنَا عَمْرُو بْنُ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«مَنْ حَلَفَ عَلَى يَمِينٍ فَرَأَى غَيْرَهَا خَيْراً مِنْهَا فَلْيُكَفِّرْ عَنْ يَمِينِهِ وَلْيَأْتِ الَّذِي هُوَ خَيْرٌ»**.

3787 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا الْمُعْتَمِرُ عَنْ أَبِيهِ عَنِ الْحَسَنِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«إِذَا حَلَفَ أَحَدُكُمْ عَلَى يَمِينٍ فَرَأَى غَيْرَهَا خَيْراً مِنْهَا فَلْيُكَفِّرْ عَنْ يَمِينِهِ وَلْيَنْظُرِ الَّذِي هُوَ خَيْرٌ فَلْيَأْتِهِ»**.

3788 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا عَفَّانُ قَالَ: حَدَّثَنَا جَرِيرُ بْنُ حَازِمٍ قَالَ: سَمِعْتُ الْحَسَنَ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ سَمُرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِذَا حَلَفْتَ عَلَى يَمِينٍ فَكَفِّرْ عَنْ يَمِينِكَ ثُمَّ ٱئْتِ الَّذِي هُوَ خَيْرٌ»**.

3789 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ يَحْيَى الْقُطَعِيُّ عَنْ عَبْدِ الأَعْلَى وَذَكَرَ كَلِمَةً مَعْنَاهَا حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ عَنِ الْحَسَنِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ أَنَّ النَّبِيَّ ﷺ قَالَ: **«إِذَا حَلَفْتَ عَلَى يَمِينٍ فَرَأَيْتَ غَيْرَهَا خَيْراً مِنْهَا فَكَفِّرْ عَنْ يَمِينِكَ وَٱئْتِ الَّذِي هُوَ خَيْرٌ»**.

(16) ـ الكَفَّارَةُ بعد الحِنْثِ

3790 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَمْرِو بْنِ مُرَّةَ قَالَ: سَمِعْتُ عَبْدَ ٱللَّهِ بْنَ عَمْرٍو مَوْلَى الْحَسَنِ بْنِ عَلِيٍّ يُحَدِّثُ عَنْ عَدِيِّ بْنِ حَاتِمٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ حَلَفَ عَلَى يَمِينٍ فَرَأَى غَيْرَهَا خَيْراً مِنْهَا فَلْيَأْتِ الَّذِي هُوَ خَيْرٌ وَلْيُكَفِّرْ عَنْ يَمِينِهِ»**.

3791 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ أَبِي بَكْرِ بْنِ عَيَّاشٍ عَنْ عَبْدِ الْعَزِيزِ بْنِ رُفَيْعٍ عَنْ تَمِيمِ بْنِ طَرَفَةَ عَنْ عَدِيِّ بْنِ حَاتِمٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ حَلَفَ عَلَى**

do another thing, let him leave his oath and rather do what is better and then make expiation for his oath."

3792- It is narrated on the authority of Adi Ibn Hatim that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath to do something, and then he sees that it is much better to do another thing, let him do what is better and leave his oath (and then make expiation for it)."

3793- It is narrated on the authority of Abu Al-Ahwas from his father that he said: I said: "O Messenger of Allah! Tell me of a cousin of mine, whom I came and begged, but he gave me nothing, nor did he keep good relation with me; and when he became in need he came to me and begged me, and I took an oath not to give him, nor keep good relation with him." On that he ordered me to do what is better and make expiation for my oath.

3794- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "If you take an oath to do something, and then you see that it is better to do another thing, do what is better and make expiation for your oath."

3795- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If you take an oath to do something, and then you see that it is better to do another thing, do what is better and make expiation for your oath."

3796- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "If you take an oath to do something, and then you see that it is better to do another thing, do what is better and make expiation for your oath."

[17] Taking Oath In That Which Is Not In One's Possession

3797- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No oath nor vow (should be taken) in that which is not in your possession, nor in what leads to disobedience (of Allah Almighty), nor in what leads to severing relation with one's kith and kin."

[18] When One Takes Oath And Make Exception

3798- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If one takes an oath, making exception (by saying 'Allah Willing'), then, it is up to him to fulfill it if he so likes, or leave it if he so likes without being considered to have broken his oath."

يَمِينٍ فَرَأَى غَيْرَهَا خَيْراً مِنْهَا فَلْيَدَعْ يَمِينَهُ وَلْيَأْتِ الَّذِي هُوَ خَيْرٌ وَلْيُكَفِّرْهَا».

3792 ـ أَخْبَرَنَا عَمْرُو بْنُ يَزِيدَ قَالَ: حَدَّثَنَا بَهْزُ بْنُ أَسَدٍ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي عَبْدُ الْعَزِيزِ بْنُ رُفَيْعٍ قَالَ: سَمِعْتُ تَمِيمَ بْنَ طَرَفَةَ يُحَدِّثُ عَنْ عَدِيِّ بْنِ حَاتِمٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ حَلَفَ عَلَى يَمِينٍ فَرَأَى خَيْراً مِنْهَا فَلْيَأْتِ الَّذِي هُوَ خَيْرٌ وَلْيَتْرُكْ يَمِينَهُ».**

3793 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ عَنْ سُفْيَانَ قَالَ: حَدَّثَنَا أَبُو الزَّعْرَاءِ عَنْ عَمِّهِ أَبِي الأَحْوَصِ عَنْ أَبِيهِ قَالَ: قُلْتُ: يَا رَسُولَ ٱللَّهِ: أَرَأَيْتَ ٱبْنَ عَمٍّ لِي أَتَيْتُهُ أَسْأَلُهُ فَلاَ يُعْطِينِي وَلاَ يَصِلُنِي ثُمَّ يَحْتَاجُ إِلَيَّ فَيَأْتِينِي فَيَسْأَلُنِي وَقَدْ حَلَفْتُ أَنْ لاَ أُعْطِيَهُ وَلاَ أَصِلَهُ؟ فَأَمَرَنِي أَنْ آتِيَ الَّذِي هُوَ خَيْرٌ وَأُكَفِّرَ عَنْ يَمِينِي.

3794 ـ أَخْبَرَنَا زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا هُشَيْمٌ قَالَ: أَنْبَأَنَا مَنْصُورٌ وَيُونُسُ عَنِ الحَسَنِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ قَالَ: قَالَ لِي النَّبِيُّ ﷺ: **«إِذَا آلَيْتَ عَلَى يَمِينٍ فَرَأَيْتَ غَيْرَهَا خَيْراً مِنْهَا فَأْتِ الَّذِي هُوَ خَيْرٌ وَكَفِّرْ عَنْ يَمِينِكَ».**

3795 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا ٱبْنُ عَوْنٍ عَنِ الحَسَنِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ قَالَ: قَالَ يَعْنِي رَسُولَ ٱللَّهِ ﷺ: **«إِذَا حَلَفْتَ عَلَى يَمِينٍ فَرَأَيْتَ غَيْرَهَا خَيْراً مِنْهَا فَأْتِ الَّذِي هُوَ خَيْرٌ مِنْهَا وَكَفِّرْ عَنْ يَمِينِكَ».**

3796 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ قُدَامَةَ فِي حَدِيثِهِ عَنْ جَرِيرٍ عَنْ مَنْصُورٍ عَنِ الْحَسَنِ الْبَصْرِيِّ قَالَ عَبْدُ الرَّحْمٰنِ بْنُ سَمُرَةَ: قَالَ لِي رَسُولُ ٱللَّهِ ﷺ: **«إِذَا حَلَفْتَ عَلَى يَمِينٍ فَرَأَيْتَ غَيْرَهَا خَيْراً مِنْهَا فَأْتِ الَّذِي هُوَ خَيْرٌ وَكَفِّرْ عَنْ يَمِينِكَ».**

(17) ـ اليَمِينُ فيما لا يَمْلِكُ

3797 ـ أَخْبَرَنَا إِبْرَاهِيمُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا يَحْيَى عَنْ عُبَيْدِ ٱللَّهِ بْنِ الأَخْنَسِ قَالَ: أَخْبَرَنِي عَمْرُو بْنُ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ نَذْرَ وَلاَ يَمِينَ فِيمَا لاَ تَمْلِكُ وَلاَ فِي مَعْصِيَةٍ وَلاَ قَطِيعَةِ رَحِمٍ».**

(18) ـ مَنْ حَلَفَ فاسْتَثْنَى

3798 ـ أَخْبَرَنِي أَحْمَدُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: حَدَّثَنَا عَبْدُ الْوَارِثِ قَالَ: حَدَّثَنَا أَيُّوبُ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ حَلَفَ فَٱسْتَثْنَى فَإِنْ شَاءَ مَضَى وَإِنْ شَاءَ تَرَكَ غَيْرَ حَنِثٍ».**

[19] The Intent In The Oath

3799- It is narrated on the authority of Umar Ibn Al-Khattab that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(The validity and reward of) deeds depend upon intentions, and every person gets but what he has intended. So, whoever emigrated to Allah and His Messenger, then, his migration would be regarded for Allah and His Messenger; and whoever emigrated for worldly benefits, or for a woman to marry, his migration is for what he emigrated for."

[20] Making Unlawful What Was Made Lawful By Allah Almighty

3800- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" used to spend some time in the house of Zainab, the daughter of Jahsh, and drink honey there. So Hafsah and I agreed secretly that, if he should come to either of us, she will say to him: "It seems you have eaten Maghafir (a kind of bad-smelling resin), for I smell in you the smell of Maghafir." When he entered upon one of us, we said that to him. He replied: "No, but I was drinking honey in the house of Zainab, the daughter of Jahsh, and I shall never take it again." Then Allah revealed: "O Prophet! Why do you hold to be forbidden that which Allah has made lawful to you? You do seek to please your consorts. But Allah is Oft-Forgiving, Most Merciful." (Prohibition "At-Tahrim" 1) he also said: "If you two turn in repentance to Him (meaning Hafsah and A'ishah), your hearts are indeed so inclined." (4) He also said: "When the Prophet disclosed a matter in confidence to one of his consorts (meaning The Prophet's saying: "I drank honey"), and she divulged it (to another)." (3)

[21] When One Takes Oath He Will Not Eat And Then He Eats Bread With Vinegar As Condiment

3801- It is narrated on the authority of Jabir that he said: I entered the house of Allah's Apostle "Allah's blessing and peace be upon him" in his company and behold! There was a fragment of bread and vinegar, thereupon Allah's Apostle "Allah's blessing and peace be upon him" said: "Eat, for indeed, what a good condiment vinegar is!

[22] When One Swears And Tells A Lie As He Has No True Faith In His Oath

3802- It is narrated on the authority of Qais Ibn Abu Gharzah that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", we (the assembly of traders) were called the brokers. The Messenger of Allah "Allah's blessing and peace be upon him" gave us a name much better than that, when he said: "O community of traders! No

(19) ـ النِّيَّةُ في اليَمِينِ

3799 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا سُلَيْمُ بْنُ حَيَّانَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ عَنْ عَلْقَمَةَ بْنِ وَقَّاصٍ عَنْ عُمَرَ بْنِ الْخَطَّابِ عَنِ النَّبِيِّ ﷺ قَالَ: **«إِنَّمَا الأَعْمَالُ بِالنِّيَّةِ وَإِنَّمَا لامْرِىءٍ مَا نَوَى فَمَنْ كَانَتْ هِجْرَتُهُ إِلَى ٱللَّهِ وَرَسُولِهِ فَهِجْرَتُهُ إِلَى ٱللَّهِ وَرَسُولِهِ وَمَنْ كَانَتْ هِجْرَتُهُ لِدُنْيَا يُصِيبُهَا أَوِ ٱمْرَأَةٍ يَتَزَوَّجُهَا فَهِجْرَتُهُ إِلَى مَا هَاجَرَ إِلَيْهِ»**.

(20) ـ تَحْرِيمُ ما أَحَلَّ الله عزّ وجلّ

3800 ـ أَخْبَرَنَا الْحَسَنُ بْنُ مُحَمَّدٍ الزَّعْفَرَانِيُّ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: زَعَمَ عَطَاءٌ أَنَّهُ سَمِعَ عُبَيْدَ ٱللَّهِ بْنَ عُمَيْرٍ يَقُولُ: سَمِعْتُ عَائِشَةَ تَزْعُمُ: أَنَّ النَّبِيَّ ﷺ كَانَ يَمْكُثُ عِنْدَ زَيْنَبَ بِنْتِ جَحْشٍ فَيَشْرَبُ عِنْدَهَا عَسَلاً فَتَوَاصَيْتُ أَنَا وَحَفْصَةُ أَنَّ أَيَّتَنَا دَخَلَ عَلَيْهَا النَّبِيُّ ﷺ فَلْتَقُلْ. إِنِّي أَجِدُ مِنْكَ رِيحَ مَغَافِيرَ أَكَلْتَ مَغَافِيرَ، فَدَخَلَ عَلَى إِحْدَاهُمَا فَقَالَتْ ذَلِكَ لَهُ فَقَالَ: **«لاَ بَلْ شَرِبْتُ عَسَلاً عِنْدَ زَيْنَبَ بِنْتِ جَحْشٍ وَلَنْ أَعُودَ لَهُ»** فَنَزَلَتْ ﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ ٱللَّهُ لَكَ﴾ إِلَى ﴿إِنْ تَتُوبَا إِلَى ٱللَّهِ﴾ عَائِشَةُ وَحَفْصَةُ ﴿وَإِذْ أَسَرَّ النَّبِيُّ ﷺ إِلَى بَعْضِ أَزْوَاجِهِ حَدِيثاً﴾ لِقَوْلِهِ: **«بَلْ شَرِبْتُ عَسَلاً»**.

(21) ـ إذا حَلَفَ أنْ لا يَأْتَدِمَ فَأَكَلَ خُبْزاً بخَلٍّ

3801 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا الْمُثَنَّى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا طَلْحَةُ بْنُ نَافِعٍ عَنْ جَابِرٍ قَالَ: دَخَلْتُ مَعَ النَّبِيِّ ﷺ بَيْتَهُ فَإِذَا فِلَقٌ وَخَلٌّ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«كُلْ فَنِعْمَ الإِدَامُ الْخَلُّ»**.

(22) ـ في الحَلْفِ والكَذِبِ لمنْ لم يَعْتَقِدِ اليَمِينَ بقَلْبِهِ

3802 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَبْدِ الْمَلِكِ عَنْ أَبِي وَائِلٍ عَنْ قَيْسِ بْنِ أَبِي غَرَزَةَ قَالَ: كُنَّا نُسَمَّى السَّمَاسِرَةَ فَأَتَانَا رَسُولُ ٱللَّهِ ﷺ وَنَحْنُ نَبِيعُ فَسَمَّانَا بِٱسْمٍ هُوَ خَيْرٌ مِنْ اسْمِنَا فَقَالَ: **«يَا مَعْشَرَ التُّجَّارِ**

doubt, both false oaths and telling lies prevail in the transaction: so, you should (stop from that, or at least) mix it with charity (in order to remove the evil traces)."

3803- It is narrated on the authority of Qais Ibn Abu Gharzah that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", we used to practice transaction in Baqi', and The Messenger of Allah "Allah's blessing and peace be upon him" came to us and said: "O community of traders!" however we (the assembly of traders) were called the brokers. The Messenger of Allah "Allah's blessing and peace be upon him" gave us a name much better than that: "No doubt, both false oaths and telling lies prevail in the transaction: so, you should (stop from that, or at least) mix it with charity (in order to remove the evil traces)."

[23] What About Falsity And Telling Lies?

3804- It is narrated on the authority of Qais Ibn Abu Gharzah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came to us while we were in the market (practicing transaction) and said: "No doubt, both false oaths and telling lies prevail in this market: so, mix it with (giving in) charity (to remove the evil traces)."

3805- It is narrated on the authority of Qais Ibn Abu Gharzah that he said: We (the assembly of traders) were in Medina, practicing the trade of the Wasaqs (of dates), and we called ourselves the brokers, and so did the people. One day, The Messenger of Allah "Allah's blessing and peace be upon him" came upon us, and gave us a name much better than that which we gave to ourselves, and so did the people, when he said: "O community of traders! No doubt, both false oaths and telling lies prevail in the transaction: so, you should (stop from that, or at least) mix it with giving in charity (in order to remove the evil traces)."

[24] It Is Forbidden To Make Vows

3806- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade making vows and said: "It brings about no good, but therewith such (of things as vowed) is extracted from the (property of the) niggard (who is not to give anything out of his property without this vow)."

3807- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade making vows and said: "It brings back nothing, but therewith such (of things as vowed) is extracted from the (property of the) niggard (who is not to give anything out of his property without this vow)."

إِنَّ هٰذَا الْبَيْعَ يَحْضُرُهُ الحَلْفُ وَالْكَذِبُ فَشُوبُوا بَيْعَكُمْ بِالصَّدَقَةِ».

3803 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ عَنْ سُفْيَانَ عَنْ عَبْدِ الْمَلِكِ وَعَاصِمٌ وَجَامِعٌ عَنْ أَبِي وَائِلٍ عَنْ قَيْسِ بْنِ أَبِي غَرْزَةَ قَالَ: كُنَّا نَبِيعُ بِالْبَقِيعِ فَأَتَانَا رَسُولُ ٱللَّهِ ﷺ وَكُنَّا نُسَمَّى السَّمَاسِرَةَ فَقَالَ: **«يَا مَعْشَرَ التُّجَّارِ»** فَسَمَّانَا بِٱسْمٍ هُوَ خَيْرٌ مِنِ ٱسْمِنَا ثُمَّ قَالَ: **«إِنَّ هٰذَا الْبَيْعَ يَحْضُرُهُ الْحَلْفُ وَالْكَذِبُ فَشُوبُوهُ بِالصَّدَقَةِ».**

(23) ـ في اللَّغْوِ والكَذِبِ

3804 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ مُغِيرَةَ عَنْ أَبِي وَائِلٍ عَنْ قَيْسِ بْنِ أَبِي غَرْزَةَ قَالَ: أَتَانَا النَّبِيُّ ﷺ وَنَحْنُ فِي السُّوقِ فَقَالَ: **«إِنَّ هٰذِهِ السُّوقَ يُخَالِطُهَا اللَّغْوُ وَالْكَذِبُ فَشُوبُوهَا بِالصَّدَقَةِ».**

3805 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ وَمُحَمَّدُ بْنُ قُدَامَةَ قَالاَ: حَدَّثَنَا جَرِيرٌ عَنْ مَنْصُورٍ عَنْ أَبِي وَائِلٍ عَنْ قَيْسِ بْنِ أَبِي غَرْزَةَ قَالَ: كُنَّا بِالْمَدِينَةِ نَبِيعُ الأَوْسَاقَ وَنَبْتَاعُهَا وَكُنَّا نُسَمِّي أَنْفُسَنَا السَّمَاسِرَةَ وَيُسَمِّينَا النَّاسُ فَخَرَجَ إِلَيْنَا رَسُولُ ٱللَّهِ ﷺ ذَاتَ يَوْمٍ فَسَمَّانَا بِٱسْمٍ هُوَ خَيْرٌ مِنَ الَّذِي سَمَّيْنَا أَنْفُسَنَا وَسَمَّانَا النَّاسُ فَقَالَ: **«يَا مَعْشَرَ التُّجَّارِ إِنَّهُ يَشْهَدُ بَيْعَكُمُ الحَلْفُ وَالْكَذِبُ فَشُوبُوهُ بِالصَّدَقَةِ».**

(24) ـ النَّهْيُ عن النَّذْرِ

3806 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ شُعْبَةَ قَالَ: أَخْبَرَنِي مَنْصُورٌ عَنْ عَبْدِ ٱللَّهِ بْنِ مُرَّةَ عَنْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنِ النَّذْرِ وَقَالَ: **«إِنَّهُ لاَ يَأْتِي بِخَيْرٍ إِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ».**

3807 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ مَنْصُورٍ عَنْ عَبْدِ ٱللَّهِ بْنِ مُرَّةَ عَنْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ قَالَ: نَهَى رَسُولُ ٱللَّهِ ﷺ عَنِ النَّذْرِ وَقَالَ: **«إِنَّهُ لاَ يَرُدُّ شَيْئاً إِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الشَّحِيحِ».**

[25] A Vow Never Brings Anything Forward Or Backward

3808- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "By no means does a vow bring anything forward or backward, but therewith such (of things as vowed) is extracted from the (property of the) niggard (who is not to give anything out of his property without this vow)."

3809- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(Allah says) by no means does a vow bring anything upon mankind, which I've not decreed for him, but it is something to be extracted from the (property of the) niggard (who is not to give anything out of his property without it)."

[26] With The Vow, Something Is Taken Out Of The (Property Of The) Niggard

3810- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not make vows, for by no means does a vow avail aught against the Divine decree, but with it, something is extracted from the (property of the) niggard (who is not to give anything out of his property without it)."

[27] Making Vows In Obedience (Of Allah)

3811- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who vows to obey Allah, let him obey Him (in fulfillment of his vow); and he, who vows to disobey Allah, let not him disobey Him (since his vow is of no effect)."

[28] Making Vows In Disobedience (Of Allah)

3812- It is narrated on the authority of A'ishah that she said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who vows to obey Allah, let him obey Him (in fulfillment of his vow); and he, who vows to disobey Allah, let not him disobey Him (since his vow is of no effect)."

3813- It is narrated on the authority of A'ishah that she said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who vows to obey Allah, let him obey Him (in fulfillment of his vow); and he, who vows to disobey Allah, let not him disobey Him (since his vow is of no effect)."

(25) ـ النَّذْرُ لا يُقَدِّمُ شَيْئاً ولا يُؤَخِّرُهُ

3808 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ مَنْصُورٍ عَنْ عَبْدِ ٱللَّهِ بْنِ مُرَّةَ عَنِ ٱبْنِ عُمَرَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«النَّذْرُ لاَ يُقَدِّمُ شَيْئاً وَلاَ يُؤَخِّرُهُ إِنَّمَا هُوَ شَيْءٌ يُسْتَخْرَجُ بِهِ مِنَ الشَّحِيحِ»**.

3809 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنَا أَبُو الزِّنَادِ عَنِ الأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لاَ يَأْتِي النَّذْرُ عَلَى ٱبْنِ آدَمَ شَيْئاً لَمْ أُقَدِّرْهُ عَلَيْهِ وَلٰكِنَّهُ شَيْءٌ ٱسْتُخْرِجَ بِهِ مِنَ الْبَخِيلِ»**.

(26) ـ النَّذْرُ يُسْتَخْرَجُ به مِنَ البَخِيلِ

3810 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ عَنِ الْعَلاَءِ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ أَنَّ النَّبِيَّ ﷺ قَالَ: **«لاَ تَنْذِرُوا فَإِنَّ النَّذْرَ لاَ يُغْنِي مِنَ الْقَدَرِ شَيْئاً وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ»**.

(27) ـ النَّذْرُ في الطَّاعَةِ

3811 ـ أَخْبَرَنَا قُتَيْبَةُ عَنْ مَالِكٍ عَنْ طَلْحَةَ بْنِ عَبْدِ الْمَلِكِ عَنِ الْقَاسِمِ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِعْهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ ٱللَّهَ فَلاَ يَعْصِهِ»**.

(28) ـ النَّذْرُ في المَعْصِيَةِ

3812 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا مَالِكٌ قَالَ: حَدَّثَنِي طَلْحَةُ بْنُ عَبْدِ الْمَلِكِ عَنِ الْقَاسِمِ عَنْ عَائِشَةَ قَالَتْ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«مَنْ نَذَرَ أَنْ يُطِيعَ ٱللَّهَ فَلْيُطِعْهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ ٱللَّهَ فَلاَ يَعْصِهِ»**.

3813 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا ٱبْنُ إِدْرِيسَ عَنْ عُبَيْدِ ٱللَّهِ عَنْ طَلْحَةَ بْنِ عَبْدِ الْمَلِكِ عَنِ الْقَاسِمِ عَنْ عَائِشَةَ قَالَتْ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«مَنْ نَذَرَ أَنْ يُطِيعَ ٱللَّهَ فَلْيُطِعْهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ ٱللَّهَ فَلاَ يَعْصِهِ»**.

[29] Fulfilling The Vow

3814- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The best among you are the people who belong to my generation. Then those next to them, then those next to them, and then those next to them. (Imran said: I do not know whether The Messenger of Allah "Allah's blessing and peace be upon him" mentioned two or three generations after his (own generation) Then after them there would come a people who would be dishonest and not trustworthy, who would give evidence before they are asked for it, who would make vows but would not fulfill them, and they would be distinguished with bulkiness."

[30] Making Vows Therewith Allah's Countenance Is Not Sought

3815- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came upon a man who was driving another by a rope, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" caught hold of it and cut it. On that the man said: "This is (in fulfillment of) a vow."

3816- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" came upon a man who was circumambulating the Ka'bah, being driven by another with the help of a nose-string, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" cut it with his hand, and ordered him to drive him by his hand. It is further narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" came upon him and he was circumambulating the Ka'bah, and a man was tying his hand by another with the help of a strap, or a string, or something similar, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" cut it with his hand, and said to him: "Drive him by your hand."

[31] Making A Vow In That Which Is Not In One's Possession

3817- It is narrated on the authority of Imran Ibn Husain that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience of Allah, nor in that which is not in the possession of mankind."

3818- It is narrated on the authority of Thabit Ibn Ad-Dahhak that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes oath by any cult other than Islam (such as Christianity, Judaism, Magianism etc), while he is telling a lie, he is then (a pagan or an infidel) the same as he says (about himself); and he, who commits suicide by anything in

(29) ـ الوَفَاءُ بالنَّذْرِ

3814 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي جَمْرَةَ عَنْ زَهْدَمٍ قَالَ: سَمِعْتُ عِمْرَانَ بْنَ حَصِينٍ يَذْكُرُ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«خَيْرُكُمْ قَرْنِي ثُمَّ الَّذِينَ يَلُونَهُمْ ثُمَّ الَّذِينَ يَلُونَهُمْ ثُمَّ الَّذِينَ يَلُونَهُمْ»** فَلاَ أَدْرِي أَذَكَرَ مَرَّتَيْنِ بَعْدَهُ أَوْ ثَلاَثاً ثُمَّ ذَكَرَ قَوْماً يَخُونُونَ وَلاَ يُؤْتَمَنُونَ وَيَشْهَدُونَ وَلاَ يُسْتَشْهَدُونَ، وَيَنْذِرُونَ وَلاَ يُوفُونَ، وَيَظْهَرُ فِيهِمُ السِّمَنُ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا نَصْرُ بْنُ عِمْرَانَ أَبُو جَمْرَةَ.

(30) ـ النَّذْرُ فيما لا يُرَادُ به وَجْهُ الله

3815 ـ أَخْبَرَنَا مُحَمَّدُ بنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: حَدَّثَنِي سُلَيْمَانُ الأَحْوَلُ عَنْ طَاوُسٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: مَرَّ رَسُولُ ٱللَّهِ ﷺ بِرَجُلٍ يَقُودُ رَجُلاً فِي قَرَنٍ فَتَنَاوَلَهُ النَّبِيُّ ﷺ فَقَطَعَهُ قَالَ إِنَّهُ نَذْرٌ.

3816 ـ أَخْبَرَنَا يُوسُفُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي سُلَيْمَانُ الأَحْوَلُ أَنَّ طَاوُساً أَخْبَرَهُ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ النَّبِيَّ ﷺ مَرَّ بِرَجُلٍ وَهُوَ يَطُوفُ بِالْكَعْبَةِ يَقُودُهُ إِنْسَانٌ بِخِزَامَةٍ فِي أَنْفِهِ فَقَطَعَهُ النَّبِيُّ ﷺ بِيَدِهِ ثُمَّ أَمَرَهُ أَنْ يَقُودَهُ بِيَدِهِ، قَالَ ٱبْنُ جُرَيْجٍ: وَأَخْبَرَنِي سُلَيْمَانُ أَنَّ طَاوُساً أَخْبَرَهُ عَنِ ٱبْنِ عَبَّاسٍ أَنَّ النَّبِيَّ ﷺ مَرَّ بِهِ وَهُوَ يَطُوفُ بِالْكَعْبَةِ وَإِنْسَانٌ قَدْ رَبَطَ يَدَهُ بِإِنْسَانٍ آخَرَ بِسَيْرٍ أَوْ خَيْطٍ أَوْ بِشَيْءٍ غَيْرَ ذٰلِكَ فَقَطَعَهُ النَّبِيُّ ﷺ بِيَدِهِ ثُمَّ قَالَ: **«قُدْهُ بِيَدِكَ»**.

(31) ـ النَّذْرُ فيما لا يَمْلِكُ

3817 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي أَيُّوبُ قَالَ: حَدَّثَنَا أَبُو قِلاَبَةَ عَنْ عَمِّهِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ أَنَّ النَّبِيَّ ﷺ قَالَ: **«لاَ نَذْرَ فِي مَعْصِيَةِ ٱللَّهِ وَلاَ فِيمَا لاَ يَمْلِكُ ٱبْنُ آدَمَ»**.

3818 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا أَبُو الْمُغِيرَةِ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ قَالَ: حَدَّثَنِي يَحْيَى عَنْ أَبِي قِلاَبَةَ عَنْ ثَابِتِ بْنِ الضَّحَّاكِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ حَلَفَ بِمِلَّةٍ سِوَى مِلَّةِ الإِسْلاَمِ كَاذِباً فَهُوَ كَمَا قَالَ وَمَنْ قَتَلَ نَفْسَهُ**

the world, Allah Almighty will punish him with the same thing on the Day of Judgement; and no vow is binding upon one in anything which is not in his possession."

[32] When One Vows To Go To Allah's House On Foot

3819- It is narrated on the authority of Uqbah Ibn Amir that he said: My sister made a vow to go to the House of Allah Almighty on foot, and she asked me to seek the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him" pertaining to that; and when I sought the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him" pertaining to that he said: "Tell her to walk (as long as she is able to do so) and ride (when she feels tired and fails to continue walking)."

[33] When A Woman Swears To Walk As Barefooted And Unveiled

3820- It is narrated on the authority of Uqbah Ibn Amir that he sought the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him" pertaining to one of his sisters who made a vow to walk as barefooted and unveiled, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Tell her to veil herself, ride (and not walk) and observe three fasts (as expiation for breaking her bow)."

[34] When One Vows To Fast And Dies Before He Fasts

3821- It is narrated on the authority of Ibn Abbas that he said: A woman sailed aboard the sea, and she had made a vow to observe a fasts of a month, and she died before she fasted. Her sister came to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him, thereupon he ordered her to fast on her behalf.

[35] When One Dies And There Is A Vow Due Upon Him

3822- It is narrated on the authority of Ibn Abbas that Sa'd Ibn Ubadah sought the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him" pertaining to a vow which was due upon his mother, who died before she fulfilled it, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Fulfill it on her behalf."

3823- It is narrated on the authority of Ibn Abbas that he said: Sa'd Ibn Ubadah sought the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him" pertaining to a vow which was due upon his mother, who died before she fulfilled it, and the Messenger of Allah "Allah's blessing and peace be upon him" said: "Fulfill it on her behalf."

بِشَيْءٍ فِي الدُّنْيَا عُذِّبَ بِهِ يَوْمَ الْقِيَامَةِ وَلَيْسَ عَلَى رَجُلٍ نَذْرٌ فِيمَا لاَ يَمْلِكُ».

(32) ـ مَنْ نَذَرَ أَنْ يَمْشِيَ إِلى بَيْتِ الله تعالى

3819 ـ أَخْبَرَنِي يُوسُفُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: حَدَّثَنِي سَعِيدُ بْنُ أَبِي أَيُّوبَ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ أَخْبَرَهُ أَنَّ أَبَا الْخَيْرِ حَدَّثَهُ عَنْ عُقْبَةَ بْنِ عَامِرٍ قَالَ: نَذَرَتْ أُخْتِي أَنْ تَمْشِيَ إِلَى بَيْتِ ٱللَّهِ فَأَمَرَتْنِي أَنْ أَسْتَفْتِيَ لَهَا رَسُولَ ٱللَّهِ ﷺ فَاسْتَفْتَيْتُ لَهَا النَّبِيَّ ﷺ فَقَالَ: «لِتَمْشِ وَلْتَرْكَبْ».

(33) ـ إذا حَلَفَتِ المَرْأَةُ لتَمْشِيَ حَافِيَةً غير مُخْتَمِرَةٍ

3820 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ وَمُحَمَّدُ بْنُ الْمُثَنَّى قَالاَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ عُبَيْدِ ٱللَّهِ بْنِ زَحْرٍ وَقَالَ عَمْرو: إِنَّ عُبَيْدَ ٱللَّهِ بْنَ زَحْرٍ أَخْبَرَهُ عَنْ عَبْدِ ٱللَّهِ بْنِ مَالِكٍ أَنَّ عُقْبَةَ بْنَ عَامِرٍ أَخْبَرَهُ أَنَّهُ سَأَلَ النَّبِيَّ ﷺ عَنْ أُخْتٍ لَهُ نَذَرَتْ أَنْ تَمْشِيَ حَافِيَةً غَيْرَ مُخْتَمِرَةٍ فَقَالَ لَهُ النَّبِيُّ ﷺ: «مُرْهَا فَلْتَخْتَمِرْ ولْتَرْكَبْ وَلْتَصُمْ ثَلاَثَةَ أَيَّامٍ».

(34) ـ مَنْ نَذَرَ أن يَصُومَ ثُمَّ مَاتَ قبل أنْ يَصُومَ

3821 ـ أَخْبَرَنَا بِشْرُ بْنُ خَالِدٍ الْعَسْكَرِيُّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ عَنْ شُعْبَةَ قَالَ: سَمِعْتُ سُلَيْمَانَ يُحَدِّثُ عَنْ مُسْلِمٍ الْبَطِينِ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: رَكِبَتِ ٱمْرَأَةٌ الْبَحْرَ فَنَذَرَتْ أَنْ تَصُومَ شَهْراً فَمَاتَتْ قَبْلَ أَنْ تَصُومَ فَأَتَتْ أُخْتُهَا النَّبِيَّ ﷺ وَذَكَرَتْ ذٰلِكَ لَهُ فَأَمَرَهَا أَنْ تَصُومَ عَنْهَا.

(35) ـ مَنْ مَاتَ وعليه نَذْرٌ

3822 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ وَاللَّفْظُ لَهُ عَنْ سُلَيْمَانَ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ سَعْدَ بْنَ عُبَادَةَ ٱسْتَفْتَى رَسُولَ ٱللَّهِ ﷺ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ تُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ فَقَالَ: «ٱقْضِهِ عَنْهَا».

3823 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنِ ٱبْنِ شِهَابٍ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: ٱسْتَفْتَى سَعْدُ بْنُ عُبَادَةَ رَسُولَ ٱللَّهِ ﷺ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ فَتُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «ٱقْضِهِ عَنْهَا».

3824- It is narrated on the authority of Ibn Abbas that he said: Sa'd Ibn Ubadah came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "My mother died and there was a vow due upon her, which she did not fulfill." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Fulfill it on her behalf."

[36] When One Makes A Vow And Then Embraces Islam Before Its Fulfillment

3825- It is narrated on the authority of Ibn Umar that a vow was due upon Umar which he made during the pre-Islamic period of ignorance to stay in seclusion (in the Ka'bah) for a night, and he asked the Messenger of Allah "Allah's blessing and peace be upon him" about that, and he ordered him to stay in seclusion (for a night in the Ka'bah).

3826- It is narrated on the authority of Ibn Umar that a vow was due upon Umar (which he made during the pre-Islamic period of ignorance) to stay in seclusion in the Sacred Mosque for a night, and he asked the Messenger of Allah "Allah's blessing and peace be upon him" about that, and he ordered him to stay in seclusion (for a night in the Ka'bah).

3827- It is narrated on the authority of Ibn Umar that Umar made it binding upon himself during the pre-Islamic period of ignorance to stay in seclusion (in the Sacred Mosque) for a day, and he asked the Messenger of Allah "Allah's blessing and peace be upon him" about that, and he ordered him to stay in seclusion (for a day in the Ka'bah).

3828- It is narrated on the authority of Abdullah Ibn Ka'b Ibn Malik from his father that he said to the Messenger of Allah "Allah's blessing and peace be upon him" when his repentance was accepted: "O Messenger of Allah! Let me deprive myself of all of my property (and give it) in charity for the Sake of Allah and His Messenger." the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Keep some of your property for you: this is much better for you."

[37] When One Offers His Property As A Gift By Way Of A Vow

3829- It is narrated on the authority of Abdullah Ibn Ka'b Ibn Malik that he said: I heard Ka'b Ibn Malik relating his story when he remained behind the Messenger of Allah "Allah's blessing and peace be upon him" in the holy battle of Tabuk, in which he said: When I sat in front of him, I said: "O Messenger of Allah! It is out of my repentance that I should deprive myself of all of my property (and give it) in charity for the Sake of Allah and His Messenger." the Messenger of Allah "Allah's blessing and peace be upon

3824 ـ أَخْبَرَنَا مُحَمَّدُ بنُ آدَمَ وَهَارُونُ بْنُ إِسْحَاقَ الْهَمْدَانِيُّ عَنْ عَبْدَةَ عَنْ هِشَامٍ وَهُوَ ٱبْنُ عُرْوَةَ عَنْ بَكْرِ بْنِ وَائِلٍ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: جَاءَ سَعْدُ ابْنُ عُبَادَةَ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنَّ أُمِّي مَاتَتْ وَعَلَيْهَا نَذْرٌ فَلَمْ تَقْضِهِ قَالَ: «**أَقْضِهِ عَنْهَا**».

(36) ـ إذا نَذَرَ ثُمَّ أَسْلَمَ قَبْلَ أَنْ يَفِيَ

3825 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مُوسَى قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَيُّوبَ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ عَنْ عُمَرَ: «أَنَّهُ كَانَ عَلَيْهِ لَيْلَةٌ نَذَرَ فِي الْجَاهِلِيَّةِ يَعْتَكِفُهَا فَسَأَلَ رَسُولَ ٱللَّهِ ﷺ فَأَمَرَهُ أَنْ يَعْتَكِفَ».

3826 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَيُّوبَ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالَ: كَانَ عَلَى عُمَرَ نَذْرٌ فِي ٱعْتِكَافِ لَيْلَةٍ فِي الْمَسْجِدِ الْحَرَامِ فَسَأَلَ رَسُولَ ٱللَّهِ ﷺ عَنْ ذٰلِكَ فَأَمَرَهُ أَنْ يَعْتَكِفَ.

3827 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْحَكَمِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: سَمِعْتُ عُبَيْدَ ٱللَّهِ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ أَنَّ عُمَرَ كَانَ جَعَلَ عَلَيْهِ يَوْماً يَعْتَكِفُهُ فِي الجَاهِلِيَّةِ فَسَأَلَ رَسُولَ ٱللَّهِ ﷺ عَنْ ذٰلِكَ فَأَمَرَهُ أَنْ يَعْتَكِفَهُ.

3828 ـ حَدَّثَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي عَبْدُ ٱللَّهِ بْنُ كَعْبِ بْنِ مَالِكٍ عَنْ أَبِيهِ أَنَّهُ قَالَ لِرَسُولِ ٱللَّهِ ﷺ حِينَ تِيبَ عَلَيْهِ يَا رَسُولَ ٱللَّهِ إِنِّي أَنْخَلِعُ مِنْ مَالِي صَدَقَةً إِلَى ٱللَّهِ وَرَسُولِهِ فَقَالَ لَهُ رَسُولُ ٱللَّهِ ﷺ: «**أَمْسِكْ عَلَيْكَ بَعْضَ مَالِكَ فَهُوَ خَيْرٌ لَكَ**».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: يُشْبِهُ أَنْ يَكُونَ الزُّهْرِيُّ سَمِعَ هٰذَا الْحَدِيثَ مِنْ عَبْدِ ٱللَّهِ بْنِ كَعْبٍ وَمِنْ عَبْدِ الرَّحْمٰنِ عَنْهُ فِي هٰذَا الْحَدِيثِ الطَّوِيلِ تَوْبَةُ كَعْبٍ.

(37) ـ إذا أَهْدَى مَالَهُ على وَجْهِ النَّذْرِ

3829 ـ أَخْبَرَنَا سُلَيْمَانُ بْنُ دَاوُدَ قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ عَنْ يُونُسَ قَالَ: قَالَ ٱبْنُ شِهَابٍ فَأَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ كَعْبِ بْنِ مَالِكٍ أَنَّ عَبْدَ ٱللَّهِ بْنَ كَعْبٍ قَالَ: سَمِعْتُ كَعْبَ بْنَ مَالِكٍ يُحَدِّثُ حَدِيثَهُ حِينَ تَخَلَّفَ عَنْ رَسُولِ ٱللَّهِ ﷺ فِي غَزْوَةِ تَبُوكَ قَالَ: فَلَمَّا جَلَسْتُ بَيْنَ يَدَيْهِ قُلْتُ: يَا رَسُولَ ٱللَّهِ إِنَّ مِنْ تَوْبَتِي أَنْ أَنْخَلِعَ مِنْ مَالِي صَدَقَةً إِلَى ٱللَّهِ وَإِلَى رَسُولِهِ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**أَمْسِكْ عَلَيْكَ بَعْضَ مَالِكَ**

him" said to him: "Keep some of your property for you: this is much better for you." I said: "Then, let me keep my share in Khaibar for me."

3830- It is narrated on the authority of Abdullah Ibn Ka'b Ibn Malik that he said: I heard Ka'b Ibn Malik relating his story when he remained behind the Messenger of Allah "Allah's blessing and peace be upon him" in the holy battle of Tabuk, in which he said: I said: "O Messenger of Allah! It is out of my repentance that I should deprive myself of all of my property (and give it) in charity for the Sake of Allah and His Messenger." the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Keep your property for you: this is much better for you." I said: "Then, let me keep my share in Khaibar for me."

3831- It is narrated on the authority of Ubaidullah Ibn Ka'b Ibn Malik that he said: I heard my father Ka'b Ibn Malik having said: I said: "O Messenger of Allah! No doubt, Allah Almighty has saved me (from punishment) because of my truthfulness, and It is out of my repentance that I should deprive myself of all of my property (and give it) in charity for the Sake of Allah and His Messenger." the Messenger of Allah "Allah's blessing and peace be upon him" said: "Keep some of your property for you: this is much better for you." I said: "Then, let me keep my share in Khaibar for me."

[38] Is The Land Included In The Property When A Vow Is Made Pertaining To It?

3832- It is narrated on the authority of Abu Hurairah that he said: When we were with the Messenger of Allah "Allah's blessing and peace be upon him" in the year (in which we conquered) Khaibar, we gained nothing but property, goods and garments as booty. A man belonging to Banu Dubaib known as Rifa'ah Ibn Zaid presented to the Messenger of Allah "Allah's blessing and peace be upon him" A black slave called Mid'am. Then the Messenger of Allah "Allah's blessing and peace be upon him" proceeded on to the valley of Al-Qura. When we reached the valley of Al-Qura, and While Mid'am was dismounting the saddle of The Messenger of Allah "Allah's blessing and peace be upon him" he was hit by an arrow the thrower of which was unknown. The people said: "Congratulations to you for the Garden." The Messenger of Allah "Allah's blessing and peace be upon him" said: "No, by Him, in Whose Hand my soul is, the sheet (of cloth) which he had misappropriated on the day of Khaibar from the booty before its distribution, has become a flame of Fire burning him." On hearing that, a man brought one or two leather straps of shoes to The Prophet "Allah's blessing and peace be upon him" and said: "These are things I

فَهُوَ خَيْرٌ لَكَ» فَقُلْتُ: فَإِنِّي أُمْسِكُ سَهْمِي الَّذِي بِخَيْبَرَ. مُخْتَصَرٌ.

3830 ـ أَخْبَرَنَا يُوسُفُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا حَجَّاجُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا لَيْثُ بْنُ سَعْدٍ قَالَ: حَدَّثَنِي عُقَيْلٌ عَنِ ٱبْنِ شِهَابٍ قَالَ: حَدَّثَنِي عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ بْنِ كَعْبٍ أَنَّ عَبْدَ ٱللَّهِ بْنَ كَعْبِ بْنِ مَالِكٍ قَالَ: سَمِعْتُ كَعْبَ بْنَ مَالِكٍ يُحَدِّثُ حَدِيثَهُ حِينَ تَخَلَّفَ عَنْ رَسُولِ ٱللَّهِ ﷺ فِي غَزْوَةِ تَبُوكٍ قُلْتُ: يَا رَسُولَ ٱللَّهِ إِنَّ مِنْ تَوْبَتِي أَنْ أَنْخَلِعَ مِنْ مَالِي صَدَقَةً إِلَى ٱللَّهِ وَإِلَى رَسُولِهِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«أَمْسِكْ عَلَيْكَ بَعْضَ مَالِكَ فَهُوَ خَيْرٌ لَكَ»** قُلْتُ: فَإِنِّي أُمْسِكُ عَلَيَّ سَهْمِي الَّذِي بِخَيْبَرَ.

3831 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْدَانَ بْنِ عِيسَى قَالَ: حَدَّثَنَا الْحَسَنُ بْنُ أَعْيَنَ قَالَ: حَدَّثَنَا مَعْقِلٌ عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ بْنِ كَعْبٍ عَنْ عَمِّهِ عُبَيْدِ ٱللَّهِ بْنِ كَعْبٍ قَالَ: سَمِعْتُ كَعْبَ بْنَ مَالِكٍ يُحَدِّثُ قَالَ: قُلْتُ: يَا رَسُولَ ٱللَّهِ إِنَّ ٱللَّهَ عَزَّ وَجَلَّ إِنَّمَا نَجَّانِي بِالصِّدْقِ وَإِنَّ مِنْ تَوْبَتِي أَنْ أَنْخَلِعَ مِنْ مَالِي صَدَقَةً إِلَى ٱللَّهِ وَإِلَى رَسُولِهِ فَقَالَ: **«أَمْسِكْ عَلَيْكَ بَعْضَ مَالِكَ فَهُوَ خَيْرٌ لَكَ»** قُلْتُ: فَإِنِّي أُمْسِكُ سَهْمِي الَّذِي بِخَيْبَرَ.

(38) ـ هل تَدْخُلُ الأَرَضُونَ في المَالِ إذا نَذَرَ؟

3832 ـ قَالَ الْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنْ ثَوْرِ بْنِ يَزِيدَ عَنْ أَبِي الْغَيْثِ مَوْلَى ٱبْنِ مُطِيعٍ عَنْ أَبِي هُرَيْرَةَ قَالَ: كُنَّا مَعَ رَسُولِ ٱللَّهِ ﷺ عَامَ خَيْبَرَ فَلَمْ نَغْنَمْ إِلاَّ الأَمْوَالَ وَالْمَتَاعَ وَالثِّيَابَ فَأَهْدَى رَجُلٌ مِنْ بَنِي الضُّبَيْبِ يُقَالُ لَهُ رِفَاعَةُ بْنُ زَيْدٍ لِرَسُولِ ٱللَّهِ ﷺ غُلاَماً أَسْوَدَ يُقَالُ لَهُ مِدْعَمٌ فَوَجَّهَ رَسُولُ ٱللَّهِ ﷺ إِلَى وَادِي الْقُرَى حَتَّى إِذَا كُنَّا بِوَادِي الْقُرَى بَيْنَا مِدْعَمٌ يَحُطُّ رَحْلَ رَسُولِ ٱللَّهِ ﷺ فَجَاءَهُ سَهْمٌ فَأَصَابَهُ فَقَتَلَهُ فَقَالَ النَّاسُ: هَنِيئاً لَكَ الْجَنَّةُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«كَلاَّ وَالَّذِي نَفْسِي بِيَدِهِ إِنَّ الشَّمْلَةَ الَّتِي أَخَذَهَا يَوْمَ خَيْبَرَ مِنَ الْمَغَانِمِ لَتَشْتَعِلُ عَلَيْهِ نَاراً»** فَلَمَّا سَمِعَ النَّاسُ بِذٰلِكَ جَاءَ

misappropriated." The Messenger of Allah "Allah's blessing and peace be upon him" said: "This is a strap, or these are two straps of Fire."

[39] Making Exception

3833- It is narrated on the authority of Ibn Umar that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes oath in which he says: 'Allah Willing', has, indeed, made exception (according to which, it is up to him to fulfill his oath if he so likes, or leave it if he so likes, without being considered to have broken his oath)."

3834- It is narrated on the authority of Ibn Umar that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes oath in which he says: 'Allah Willing', has, indeed, made exception (according to which, it is up to him to fulfill his oath if he so likes, or leave it if he so likes, without being considered to have broken his oath)."

3835- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes oath in which he says: 'Allah Willing', he has the freedom of choice: it is up to him to fulfill his oath if he so likes, or leave it if he so likes (without being considered to have broken his oath)."

[40] When One Takes Oath And Another Says To Him "Allah Willing": Is That Considered As An Exception?

3836- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(The Prophet) Solomon, son of David once said: "Tonight I will go round (and sleep with) ninety women, each of whom will bring forth a (would-be) cavalier who will fight in Allah's Cause." On this, his companion said to him: "Say: "Allah willing!" But he did not say Allah willing. Solomon then slept with all the women, but none of them became pregnant barring one woman who later delivered a half-man. By Him in Whose Hand Mohammad's soul is, if he (Solomon) had said: 'Allah willing' (all his wives would have brought forth boys) and they would have fought in Allah's Cause as cavaliers."

[41] Making Expiation For Breaking A Vow

3837- It is narrated on the authority of Uqbah Ibn Amir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The expiation of breaking a vow is the same as the expiation of breaking an oath (in case it is in disobedience of Allah)."

رَجُل بِشِرَاكٍ أَوْ بِشِرَاكَيْنِ إِلَى رَسُولِ ٱللَّهِ ﷺ قَالَ رَسُولُ ٱللَّهِ ﷺ: «شِرَاكٌ أَوْ شِرَاكَانِ مِنْ نَارٍ».

(39) ـ الاسْتِثْنَاءُ

3833 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي عَمْرُو بْنُ الْحَارِثِ أَنَّ كَثِيرَ بْنَ فَرْقَدٍ حَدَّثَهُ أَنَّ نَافِعاً حَدَّثَهُمْ عَنْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «مَنْ حَلَفَ فَقَالَ إِنْ شَاءَ ٱللَّهُ فَقَدِ ٱسْتَثْنَى».

3834 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَيُّوبَ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «مَنْ حَلَفَ فَقَالَ: إِنْ شَاءَ ٱللَّهُ فَقَدِ ٱسْتَثْنَى».

3835 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا عَفَّانُ قَالَ: حَدَّثَنَا وُهَيْبٌ قَالَ: حَدَّثَنَا أَيُّوبُ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ حَلَفَ عَلَى يَمِينٍ فَقَالَ: إِنْ شَاءَ ٱللَّهُ فَهُوَ بِالْخِيَارِ إِنْ شَاءَ أَمْضَى وَإِنْ شَاءَ تَرَكَ».

(40) ـ إذا حَلَفَ فقال له رَجُلٌ إنْ شَاءَ الله هل له اسْتِثْنَاءٌ؟

3836 ـ أَخْبَرَنَا عِمْرَانُ بْنُ بَكَّارٍ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ عَيَّاشٍ قَالَ: أَنْبَأَنَا شُعَيْبٌ قَالَ: حَدَّثَنِي أَبُو الزِّنَادِ مِمَّا حَدَّثَهُ عَبْدُ الرَّحْمٰنِ الأَعْرَجُ مِمَّا ذَكَرَ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يُحَدِّثُ بِهِ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: «قَالَ سُلَيْمَانُ بْنُ دَاوُدَ لأَطُوفَنَّ اللَّيْلَةَ عَلَى تِسْعِينَ ٱمْرَأَةً كُلُّهُنَّ يَأْتِي بِفَارِسٍ يُجَاهِدُ فِي سَبِيلِ ٱللَّهِ عَزَّ وَجَلَّ فَقَالَ لَهُ صَاحِبُهُ: قُلْ إِنْ شَاءَ ٱللَّهُ فَلَمْ يَقُلْ إِنْ شَاءَ ٱللَّهُ فَطَافَ عَلَيْهِنَّ جَمِيعاً فَلَمْ تَحْمِلْ مِنْهُنَّ إِلاَّ ٱمْرَأَةٌ وَاحِدَةٌ جَاءَتْ بِشِقِّ رَجُلٍ وَأَيْمُ الَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ لَوْ قَالَ: إِنْ شَاءَ ٱللَّهُ لَجَاهَدُوا فِي سَبِيلِ ٱللَّهِ فُرْسَاناً أَجْمَعِينَ».

(41) ـ كَفَّارَةُ النَّذْرِ

3837 ـ أَخْبَرَنَا أَحْمَدُ بْنُ يَحْيَى بْنِ الْوَزِيرِ بْنِ سُلَيْمَانَ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي عَمْرُو بْنُ الْحَارِثِ عَنْ كَعْبِ بْنِ عَلْقَمَةَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ شِمَاسَةَ عَنْ عُقْبَةَ بْنِ عَامِرٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «كَفَّارَةُ النَّذْرِ كَفَّارَةُ الْيَمِينِ».

3838- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty)."

It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3840- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3841- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3842- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3843- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3844- It is narrated on the authority of A'ishah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3845- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3846- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3847- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow

3838 ـ أَخْبَرَنَا كَثِيرُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ حَرْبٍ عَنِ الزُّبَيْدِيِّ عَنِ الزُّهْرِيِّ أَنَّهُ بَلَغَهُ عَنِ الْقَاسِمِ عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ نَذْرَ فِي مَعْصِيَةٍ».

3839 ـ أَخْبَرَنَا يُونُسُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ عَنْ أَبِي سَلَمَةَ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهُ كَفَّارَةُ الْيَمِينِ».

3840 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ الْمُخَرَّمِيُّ قَالَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ قَالَ: حَدَّثَنَا ٱبْنُ الْمُبَارَكِ عَنْ يُونُسَ عَنِ الزُّهْرِيِّ عَنْ أَبِي سَلَمَةَ عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ».

3841 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: أَنْبَأَنَا عُثْمَانُ بْنُ عُمَرَ قَالَ: حَدَّثَنَا يُونُسُ عَنِ الزُّهْرِيِّ عَنْ أَبِي سَلَمَةَ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ».

3842 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا أَبُو صَفْوَانَ عَنْ يُونُسَ عَنِ الزُّهْرِيِّ عَنْ أَبِي سَلَمَةَ عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهُ كَفَّارَةُ الْيَمِينِ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: وَقَدْ قِيلَ إِنَّ الزُّهْرِيَّ لَمْ يَسْمَعْ هٰذَا مِنْ أَبِي سَلَمَةَ.

3843 ـ أَخْبَرَنَا هَارُونُ بْنُ مُوسَى الْفَرْوِيُّ قَالَ: حَدَّثَنَا أَبُو ضَمْرَةَ عَنْ يُونُسَ عَنِ ٱبْنِ شِهَابٍ قَالَ: حَدَّثَنَا أَبُو سَلَمَةَ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهُ كَفَّارَةُ الْيَمِينِ».

3844 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ التِّرْمِذِيُّ قَالَ: حَدَّثَنَا أَيُّوبُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنِي أَبُو بَكْرِ بْنُ أَبِي أُوَيْسٍ قَالَ: حَدَّثَنِي سُلَيْمَانُ بْنُ بِلاَلٍ عَنْ مُحَمَّدِ بْنِ أَبِي عَتِيقٍ وَمُوسَى بْنُ عُقْبَةَ عَنِ ٱبْنِ شِهَابٍ عَنْ سُلَيْمَانَ بْنِ أَرْقَمَ أَنَّ يَحْيَى بْنَ أَبِي كَثِيرٍ الَّذِي كَانَ يَسْكُنُ الْيَمَامَةَ حَدَّثَهُ أَنَّهُ سَمِعَ أَبَا سَلَمَةَ يُخْبِرُ عَنْ عَائِشَةَ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهَا كَفَّارَةُ يَمِينٍ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: سُلَيْمَانُ بْنُ أَرْقَمَ مَتْرُوكُ الْحَدِيثِ وَٱللَّهُ أَعْلَمُ خَالَفَهُ غَيْرُ وَاحِدٍ مِنْ أَصْحَابِ يَحْيَى بْنِ أَبِي كَثِيرٍ فِي هٰذَا الْحَدِيثِ.

3845 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ وَكِيعٍ عَنِ ٱبْنِ الْمُبَارَكِ وَهُوَ عَلِيٌّ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ عَنْ مُحَمَّدِ بْنِ الزُّبَيْرِ الْحَنْظَلِيِّ عَنْ أَبِيهِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ».

3846 ـ أَخْبَرَنِي عَمْرُو بْنُ عُثْمَانَ قَالَ: حَدَّثَنَا بَقِيَّةُ عَنْ أَبِي عَمْرٍو وَهُوَ الأَوْزَاعِيُّ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ عَنْ مُحَمَّدِ بْنِ الزُّبَيْرِ الْحَنْظَلِيِّ عَنْ أَبِيهِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ ٱللَّهُ عَنْهُمَا قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهَا كَفَّارَةُ يَمِينٍ».

3847 ـ أَخْبَرَنَا عَلِيُّ بْنُ مَيْمُونٍ قَالَ: حَدَّثَنَا مَعْمَرُ بْنُ سُلَيْمَانَ عَنْ عَبْدِ ٱللَّهِ بْنِ بِشْرٍ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ عَنْ مُحَمَّدٍ الْحَنْظَلِيِّ عَنْ أَبِيهِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ قَالَ: قَالَ

is (binding) while being in the state of anger (which leads to the disobedience of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3848- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) while being in the state of anger (which leads to the disobedience of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3849- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) while being in the state of anger (which leads to the disobedience of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3850- It is narrated on the authority of Imran Ibn Husain that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "The vow is of two kinds: such of vows as is in obedience of Allah Almighty is for the Sake of Allah, in which fulfillment is binding; and such of vows as is in disobedience of Allah Almighty is for the sake of Satan, in which no fulfillment is binding; and it is expiated by the same which expiates the oath."

3851- It is narrated on the authority of Muhammad Ibn Az-Zubair Al-Hanzali from his father that a man asked Imran Ibn Husain about a man who vowed not to offer the (obligatory) prayers in the mosque of his people, thereupon Imran said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "No vow is (binding) while being in the state of anger (which leads to the disobedience of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

3852- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah) nor while being in the state of anger (which leads to disobedience); and its expiation is the same as the expiation of breaking an oath."

3853- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty); and its expiation is the same as the expiation of breaking an oath."

رَسُولُ ٱللَّهِ ﷺ: «لاَ نَذْرَ فِي غَضَبٍ وَكَفَّارَتُهُ كَفَّارَةُ الْيَمِينِ».

قَالَ أَبُو عَبْدُ الرَّحْمٰنِ: مُحَمَّدُ بْنُ الزُّبَيْرِ ضَعِيفٌ لاَ يَقُومُ بِمِثْلِهِ حُجَّةٌ وَقَدِ ٱخْتُلِفَ عَلَيْهِ فِي هٰذَا الْحَدِيثِ.

3848 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا الْحَسَنُ بْنُ مُوسَى قَالَ: حَدَّثَنَا شَيْبَانُ عَنْ يَحْيَى عَنْ مُحَمَّدِ بْنِ الزُّبَيْرِ عَنْ أَبِيهِ عَنْ عِمْرَانَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ نَذْرَ فِي غَضَبٍ وَكَفَّارَتُهُ كَفَّارَةُ الْيَمِينِ».

3849 ـ أَخْبَرَنَا قُتَيْبَةُ أَنْبَأَنَا حَمَّادٌ عَنْ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ عِمْرَانَ قَالَ: قَالَ النَّبِيُّ ﷺ: «لاَ نَذْرَ فِي غَضَبٍ وَكَفَّارَتُهُ كَفَّارَةُ الْيَمِينِ» وَقِيلَ إِنَّ الزُّبَيْرَ لَمْ يَسْمَعْ هٰذَا الْحَدِيثَ مِنْ عِمْرَانَ بْنِ حُصَيْنٍ.

3850 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ وَهْبٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنِي ٱبْنُ إِسْحَاقَ عَنْ مُحَمَّدِ بْنِ الزُّبَيْرِ عَنْ أَبِيهِ عَنْ رَجُلٍ مِنْ أَهْلِ الْبَصْرَةِ قَالَ: صَحِبْتُ عِمْرَانَ بْنَ حُصَيْنٍ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «النَّذْرُ نَذْرَانِ فَمَا كَانَ مِنْ نَذْرٍ فِي طَاعَةِ ٱللَّهِ فَذٰلِكَ لِلَّهِ وَفِيهِ الْوَفَاءُ وَمَا كَانَ مِنْ نَذْرٍ فِي مَعْصِيَةِ ٱللَّهِ فَذٰلِكَ لِلشَّيْطَانِ وَلاَ وَفَاءَ فِيهِ وَيُكَفِّرُهُ مَا يُكَفِّرُ الْيَمِينَ».

3851 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا مُسَدَّدٌ قَالَ: حَدَّثَنَا عَبْدُ الْوَارِثِ عَنْ مُحَمَّدِ بْنِ الزُّبَيْرِ الْحَنْظَلِيِّ قَالَ: أَخْبَرَنِي أَبِي: أَنَّ رَجُلاً حَدَّثَهُ أَنَّهُ سَأَلَ عِمْرَانَ بْنَ حُصَيْنٍ عَنْ رَجُلٍ نَذَرَ نَذْراً لاَ يَشْهَدُ الصَّلاَةَ فِي مَسْجِدِ قَوْمِهِ فَقَالَ عِمْرَانُ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «لاَ نَذْرَ فِي غَضَبٍ وَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ».

3852 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ مُحَمَّدِ بْنِ الزُّبَيْرِ عَنِ الْحَسَنِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ».

3853 ـ أَخْبَرَنَا هِلاَلُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا أَبُو سُلَيْمٍ وَهُوَ عُبَيْدُ بْنُ يَحْيَى قَالَ: حَدَّثَنَا أَبُو بَكْرٍ النَّهْشَلِيُّ عَنْ مُحَمَّدِ بْنِ الزُّبَيْرِ عَنِ الْحَسَنِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «لاَ نَذْرَ فِي الْمَعْصِيَةِ وَكَفَّارَتُهُ كَفَّارَةُ الْيَمِينِ» خَالَفَهُ مَنْصُورُ بْنُ زَاذَانَ فِي لَفْظِهِ.

3854- It is narrated on the authority of Imran Ibn Husain that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) upon mankind in that which is not in his possession, nor in disobedience of Allah Almighty."

3855- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty), nor in that which is not in the possession of mankind."

3856- It is narrated on the authority of Imran Ibn Husain that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is (binding) in disobedience (of Allah Almighty), nor in that which is not in the possession of mankind."

[42] When One Makes A Vow Binding Upon Him And He Fails To Fulfill It: What Is Due Upon Him?

3857- It is narrated on the authority of Anas that he said: the Messenger of Allah "Allah's blessing and peace be upon him" saw a man reclining against two men, and when he asked about that it was said to him: "He made a vow to go to Allah's House on foot." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah Almighty is not in need of such torment as to which this man is putting himself. Tell him to ride."

3858- It is narrated on the authority of Anas that he said: the Messenger of Allah "Allah's blessing and peace be upon him" came upon an old man reclining against two men. He asked: "What is the matter with this man?" They said: "He made a vow to go (to Allah's House) on foot." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah Almighty is not in need of such torment as to which this man is putting himself. Tell him to ride." In this way, he ordered him to ride.

3859- It is narrated on the authority of Anas that he said: the Messenger of Allah "Allah's blessing and peace be upon him" came upon an old man reclining against his two sons. He asked: "What is the matter with this man?" They said: "He made a vow to go to the Ka'bah on foot." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah Almighty does nothing with such torment as to which this man is putting himself." He ordered him to ride.

3854 ـ أَخْبَرَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا هُشَيْمٌ قَالَ: أَنْبَأَنَا مَنْصُورٌ عَنِ الْحَسَنِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ قَالَ: قَالَ يَعْنِي النَّبِيَّ ﷺ: «**لاَ نَذْرَ لابْنِ آدَمَ فِيمَا لاَ يَمْلِكُ وَلاَ فِي مَعْصِيَةِ ٱللَّهِ عَزَّ وَجَلَّ**» خَالَفَهُ عَلِيُّ بْنُ زَيْدٍ فَرَوَاهُ عَنِ الْحَسَنِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ.

3855 ـ أَخْبَرَنِي عَلِيُّ بْنُ مُحَمَّدِ بْنِ عَلِيٍّ قَالَ: حَدَّثَنَا خَلَفُ بْنُ تَمِيمٍ قَالَ: حَدَّثَنَا زَائِدَةُ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ زَيْدِ بْنِ جَدْعَانَ عَنِ الْحَسَنِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ نَذْرَ فِي مَعْصِيَةٍ وَلاَ فِيمَا لاَ يَمْلِكُ ٱبْنُ آدَمَ**».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: عَلِيُّ بْنُ زَيْدٍ ضَعِيفٌ وَهٰذَا الْحَدِيثُ خَطَأٌ وَالصَّوَابُ عِمْرَانُ بْنُ حُصَيْنٍ وَقَدْ رُوِيَ هٰذَا الْحَدِيثُ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ مِنْ وَجْهٍ آخَرَ.

3856 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي أَيُّوبُ قَالَ: حَدَّثَنَا أَبُو قِلاَبَةَ عَنْ عَمِّهِ عَنْ عِمْرَانَ بْنِ حُصَيْنٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**لاَ نَذْرَ فِي مَعْصِيَةٍ وَلاَ فِيمَا لاَ يَمْلِكُ ٱبْنُ آدَمَ**».

(42) ـ ما الوَاجِبُ على مَنْ أَوْجَبَ على نَفْسِهِ نَذْراً فعَجَزَ عنه؟

3857 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا حَمَّادُ بْنُ مَسْعَدَةَ عَنْ حُمَيْدٍ عَنْ ثَابِتٍ عَنْ أَنَسٍ قَالَ: رَأَى النَّبِيُّ ﷺ رَجُلاً يُهَادَى بَيْنَ رَجُلَيْنِ فَقَالَ: «**مَا هٰذَا؟**» قَالُوا: نَذَرَ أَنْ يَمْشِيَ إِلَى بَيْتِ ٱللَّهِ قَالَ: «**إِنَّ ٱللَّهَ غَنِيٌّ عَنْ تَعْذِيبِ هٰذَا نَفْسَهُ مُرْهُ فَلْيَرْكَبْ**».

3858 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا حُمَيْدٌ عَنْ ثَابِتٍ عَنْ أَنَسٍ قَالَ: مَرَّ رَسُولُ ٱللَّهِ ﷺ بِشَيْخٍ يُهَادَى بَيْنَ ٱثْنَيْنِ فَقَالَ: «**مَا بَالُ هٰذَا؟**» قَالُوا: نَذَرَ أَنْ يَمْشِيَ قَالَ: «**إِنَّ ٱللَّهَ غَنِيٌّ عَنْ تَعْذِيبِ هٰذا نَفْسَهُ مُرْهُ فَلْيَرْكَبْ**». فَأَمَرَهُ أَنْ يَرْكَبَ.

3859 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَفْصٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنِي إِبْرَاهِيمُ بْنُ طَهْمَانَ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ حُمَيْدٍ الطَّوِيلِ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: أَتَى رَسُولُ ٱللَّهِ ﷺ عَلَى رَجُلٍ يُهَادَى بَيْنَ ٱبْنَيْهِ فَقَالَ: «**مَا شَأْنُ هٰذَا؟**» فَقِيلَ: نَذَرَ أَنْ يَمْشِيَ إِلَى الْكَعْبَةِ فَقَالَ: «**إِنَّ ٱللَّهَ لاَ يَصْنَعُ بِتَعْذِيبِ هٰذَا نَفْسَهُ شَيْئاً**»، فَأَمَرَهُ أَنْ يَرْكَبَ.

[43] Making Exception

3860- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes oath in which he says: 'Allah Willing', has, indeed, made exception (according to which, it is up to him to fulfill his oath if he so likes, or leave it if he so likes, without being considered to have broken his oath)."

3861- It is narrated on the authority of Abu Hurairah that he said, tracing it to the Messenger of Allah: Solomon, the son of David, said: "Tonight I will go round (and have sexual intercourse with) ninety ladies each of whom will conceive a child who will fight in Allah's Cause." It was said to him: "Say 'Allah willing'." But Solomon did not say it. He visited them (and had sexual intercourse with them). But, none of those women got pregnant except one who gave birth to a half child. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Had Solomon said 'Allah willing', he would not have failed (to have such children), and it would have been his access to get his need."

(43) ـ الاسْتِثْنَاءُ

3860 ـ أَخْبَرَنَا نُوحُ بْنُ حَبِيبٍ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا مَعْمَرٌ عَنِ ٱبْنِ طَاوُسٍ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ حَلَفَ عَلَى يَمِينٍ فَقَالَ: إِنْ شَاءَ ٱللَّهُ فَقَدِ ٱسْتَثْنَى»**.

3861 ـ أَخْبَرَنَا الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا مَعْمَرٌ عَنِ ٱبْنِ طَاوُسٍ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ رَفَعَهُ **«قَالَ سُلَيْمَانُ: لأَطُوفَنَّ اللَّيْلَ عَلَى تِسْعِينَ ٱمْرَأَةً تَلِدُ كُلُّ ٱمْرَأَةٍ مِنْهُنَّ غُلاَماً يُقَاتِلُ فِي سَبِيلِ ٱللَّهِ فَقِيلَ لَهُ: قُلْ: إِنْ شَاءَ ٱللَّهُ فَلَمْ يَقُلْ فَطَافَ بِهِنَّ فَلَمْ تَلِدْ مِنْهُنَّ إِلاَّ ٱمْرَأَةٌ وَاحِدَةٌ نِصْفَ إِنْسَانٍ»**. فَقَالَ رَسُولُ ٱللَّهِ ﷺ: لَوْ قَالَ: **«إِنْ شَاءَ ٱللَّهُ لَمْ يَحْنَثْ وَكَانَ دَرَكاً لِحَاجَتِهِ»**.

(36) THE BOOK OF SHARECROPPING

[44] The Third Of Conditions, Including Sharecropping And Documentation

3862- It is narrated on the authority of Abu Sa'id that he said: "If you hire a worker, you should inform him of his charge (before getting him work)."

3863- It is narrated on the authority of Al-Hasan that he disliked that a man should employ a hireling before informing him of his rental fee.

3864- It is narrated on the authority of Hammad Ibn Abu Sulaiman that he was asked about a man who hired a worker in return for food, thereupon he said: "No, until you inform him."

3865- It is narrated on the authority of both Hammad and Qatadah that a man said to another: "I hire you (to convey me) to Mecca for such and such charge: if I keep marching for a month or such and such time (less than a month), you will have an increase of such and such", thereupon they saw no harm in that. But they disliked that a man should say to another: "I hire you for such and such charge: if I keep marching more than a month, I will reduce from your charge such and such."

3866- It is narrated on the authority of Ibn Juraij that he said: I said to Ata': "Tell me if I hire a slave for a year in return for providing him with food and another year in return for such and such charge." He said: "There is no harm in that, and it is sufficient for him that you stipulate such condition when you hire him for many days." (Ibn Juraij said) "Or even when you hired him and a portion of the year has elapsed." He said: "You should not reckon me (the hireling) for what has elapsed."

[45] The Different Narrations Pertaining To The Forbiddance Of Renting The Land In Return For One-Third Or One-Fourth The Yields

3867- It is narrated on the authority of Usaid Ibn Zuhair that he went out to his people, Banu Harithah, and said: "O Banu Harithah! A calamity has befallen you." They asked: "What is that?" he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land." We said: "O Messenger of Allah! Let's rent it in return for a specific amount of grains." He answered in the negative. He said: "We used to rent it in return for a specific amount of fodder." He answered in the negative. He said: "We used to rent it in return for what would grow on the bank of a spring." On that he said: "No: you should cultivate it yourself, otherwise, give it to your brother (to cultivate) as gratis."

(36) ـ كِتَابُ المُزَارَعَةِ

(44) ـ الثَّالثُ من الشُّرُوطِ فيه المُزَارَعةُ والوَثَائِقُ

3862 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ شُعْبَةَ عَنْ حَمَّادٍ عَنْ إِبْرَاهِيمَ عَنْ أَبِي سَعِيدٍ قَالَ: «إِذَا ٱسْتَأْجَرْتَ أَجِيراً فَأَعْلِمْهُ أَجْرَهُ».

3863 ـ أَخْبَرَنَا مُحَمَّدٌ قَالَ: أَنْبَأَنَا حَبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ عَنْ حَمَّادِ بْنِ سَلَمَةَ عَنْ يُونُسَ عَنِ الْحَسَنِ: «أَنَّهُ كَرِهَ أَنْ يَسْتَأْجِرَ الرَّجُلَ حَتَّى يُعْلِمَهُ أَجْرَهُ».

3864 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ عَنْ جَرِيرِ بْنِ حَازِمٍ عَنْ حَمَّادٍ هُوَ ٱبْنُ أَبِي سُلَيْمَانَ: أَنَّهُ سُئِلَ عَنْ رَجُلٍ ٱسْتَأْجَرَ أَجِيراً عَلَى طَعَامِهِ قَالَ: لاَ حَتَّى تُعْلِمَهُ.

3865 ـ أَخْبَرَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ عَنْ مَعْمَرٍ عَنْ حَمَّادٍ وَقَتَادَةَ فِي رَجُلٍ قَالَ لِرَجُلٍ: أَسْتَكْرِي مِنْكَ إِلَى مَكَّةَ بِكَذَا وَكَذَا فَإِنْ سِرْتُ شَهْراً أَوْ كَذَا وَكَذَا شَيْئاً سَمَّاهُ فَلَكَ زِيَادَةُ كَذَا وَكَذَا فَلَم يَرَيَا بِهِ بَأْساً وَكَرِهَا أَنْ يَقُولَ أَسْتَكْرِي مِنْكَ بِكَذَا وَكَذَا فَإِنْ سِرْتُ أَكْثَرَ مِنْ شَهْرٍ نَقَصْتُ مِنْ كِرَائِكَ كَذَا وَكَذَا.

3866 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حَبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ عَنِ ٱبْنِ جُرَيْجٍ قِرَاءَةً قَالَ: قُلْتُ لِعَطَاءٍ عَبْدٌ أُؤَاجِرُهُ سَنَةً بِطَعَامِهِ وَسَنَةً أُخْرَى بِكَذَا وَكَذَا قَالَ: لاَ بَأْسَ بِهِ وَيُجْزِئُهُ ٱشْتِرَاطُكَ حِينَ تُؤَاجِرُهُ أَيَّاماً أَوْ آجَرْتَهُ وَقَدْ مَضَى بَعْضُ السَّنَةِ قَالَ: إِنَّكَ لاَ تُحَاسِبُنِي لِمَا مَضَى.

(45) ـ ذِكْرُ الأَحَادِيثِ المُخْتَلِفَةِ فِي النَّهْيِ عن كِرَاءِ الأَرْضِ بالثُّلُثِ والرُّبُعِ واخْتِلافِ ألْفاظِ النَّاقلين للخَبَرِ

3867 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا خَالِدٌ هُوَ ٱبْنُ الْحَارِثِ قَالَ: قَرَأْتُ عَلَى عَبْدِ الْحَمِيدِ بْنِ جَعْفَرٍ أَخْبَرَنِي أَبِي عَنْ رَافِعِ بْنِ أُسَيْدِ بْنِ ظُهَيْرٍ عَنْ أَبِيهِ أُسَيْدِ بْنِ ظُهَيْرٍ: أَنَّهُ خَرَجَ إِلَى قَوْمِهِ إِلَى بَنِي حَارِثَةَ فَقَالَ: يَا بَنِي حَارِثَةَ لَقَدْ دَخَلَتْ عَلَيْكُمْ مُصِيبَةٌ قَالُوا: مَا هِيَ؟ قَالَ: نَهَى رَسُولُ ٱللَّهِ ﷺ عَنْ كِرَاءِ الأَرْضِ قُلْنَا: يَا رَسُولَ ٱللَّهِ إِذاً نُكْرِيهَا بِشَيْءٍ مِنَ الْحَبِّ قَالَ: «لاَ». قَالَ: وَكُنَّا نُكْرِيهَا بِالتِّبْنِ فَقَالَ: «لاَ» وَكُنَّا نُكْرِيه بِمَا عَلَى الرَّبِيعِ السَّاقِي قَالَ: «لاَ ازْرَعْهَا أَوِ ٱمْنَحْهَا أَخَاكَ». خَالَفَهُ مُجَاهِدٌ.

3868- It is narrated on the authority of Usaid Ibn Zuhair that he said: Rafi' Ibn Khadij came to us and said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade you to do Muhaqalah (renting the field in return for one-third or one-fourth the yield), and Muzabanah (selling fresh fruits on the trees for a measured amount of fruits of the same kind).

3869- It is narrated on the authority of Usaid Ibn Zuhair that he said: Rafi' Ibn Khadij came to us and said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade us to do a thing, which was been of benefit for us, but the obedience of Allah and His Messenger is much more beneficial for us. He forbade you to do Muhaqalah, and said: "He, who has got a (piece of) land, let him (cultivate it by himself, or) give it as gratis, or leave it." He also forbade Muzabanah, i.e. that a man has a great clusters of date-palms, and another one comes to buy it for such and such (measured amount of) Wasaqs of dates.

3870- It is narrated on the authority of Usaid Ibn Zuhair that he said: Rafi' Ibn Khadij came to us and said to us, even though I did not understand the significance of what he had said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade you to do a thing, which was been of benefit for you, even though the obedience of Allah and His Messenger is much more beneficial for you. the Messenger of Allah "Allah's blessing and peace be upon him" forbade you to do Muhaqalah, i.e. to rent the land for one-third or one-fourth its yield. He, who has got a (piece of) land, and he is not in need of it, let him give it as gratis to his brother (to cultivate), or leave it. He also forbade Muzabanah, i.e. that a man has a great clusters of date-palms, and he comes to another and says to him: "Take it for such and such (measured amount of) Wasaqs of the dates of this year."

3871- It is narrated on the authority of Usaid Ibn Zuhair that he said: Rafi' Ibn Khadij said to us: the Messenger of Allah "Allah's blessing and peace be upon him" forbade you to do a thing, which was been of benefit for us, even though the obedience of Allah and His Messenger is much more beneficial for you. He said: "He, who has got a (piece of) land, let him cultivate it by himself, and if he fails to do so, let him give it as gratis to his brother to cultivate it."

3872- It is narrated on the authority of Mujahid that he said: I took hold of the hand of Tawus and got him enter upon Ibn Rafi' Ibn Khadij, who related to him from his father from the Messenger of Allah "Allah's blessing and peace be upon him" that he forbade renting the land (for a specific share of its yield). Tawus rejected that narration and said: I heard that Ibn Abbas saw no harm in it.

3868 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا يَحْيَى وَهُوَ ٱبْنُ آدَمَ قَالَ: حَدَّثَنَا مُفَضَّلٌ وَهُوَ ٱبْنُ مُهَلْهَلٍ عَنْ مَنْصُورٍ عَنْ مُجَاهِدٍ عَنْ أُسَيْدِ بْنِ ظُهَيْرٍ قَالَ: جَاءَنَا رَافِعُ بْنُ خَدِيجٍ فَقَالَ: «إِنَّ رَسُولَ ٱللَّهِ ﷺ نَهَاكُم عَنِ الْحَقْلِ وَالْحَقْلُ الثُّلُثُ وَالرُّبُعُ وَعَنِ الْمُزَابَنَةِ وَالْمَزَابَنَةُ شِرَاءُ مَا فِي رُؤُوسِ النَّخْلِ بِكَذَا وَكَذَا وَسْقاً مِنْ تَمْرٍ».

3869 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ مَنْصُورٍ سَمِعْتُ مُجَاهِداً يُحَدِّثُ عَنْ أُسَيْدِ بْنِ ظُهَيْرٍ قَالَ: أَتَانَا رَافِعُ بْنُ خَدِيجٍ فَقَالَ: نَهَانَا رَسُولُ ٱللَّهِ ﷺ عَنْ أَمْرٍ كَانَ لَنَا نَافِعاً وَطَاعَةُ رَسُولِ ٱللَّهِ ﷺ خَيْرٌ لَكُمْ نَهَاكُمْ عَنِ الْحَقْلِ وَقَالَ: **«مَنْ كَانَتْ لَهُ أَرْضٌ فَلْيَمْنَحْهَا أَوْ لِيَدَعْهَا وَنَهَى عَنِ الْمُزَابَنَةِ وَالْمُزَابَنَةُ الرَّجُلُ يَكُونُ لَهُ الْمَالُ الْعَظِيمُ مِنَ النَّخْلِ فَيَجِيءُ الرَّجُلُ فَيَأْخُذُهَا بِكَذَا وَكَذَا وَسْقاً مِنْ تَمْرٍ»**.

3870 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ قُدَامَةَ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مَنْصُورٍ عَنْ مُجَاهِدٍ عَنْ أُسَيْدِ بْنِ ظُهَيْرٍ قَالَ: أَتَى عَلَيْنَا رَافِعُ بْنُ خَدِيجٍ فَقَالَ: وَلَمْ أَفْهَمْ فَقَالَ: «إِنَّ رَسُولَ ٱللَّهِ ﷺ نَهَاكُمْ عَنْ أَمْرٍ كَانَ يَنْفَعُكُمْ وَطَاعَةُ رَسُولِ ٱللَّهِ ﷺ خَيْرٌ لَكُمْ مِمَّا يَنْفَعُكُمْ نَهَاكُمْ رَسُولُ ٱللَّهِ ﷺ عَنِ الحَقْلِ وَالْحَقْلُ الْمُزَارَعَةُ بِالثُّلُثِ وَالرُّبُعِ فَمَنْ كَانَ لَهُ أَرْضٌ فَاسْتَغْنَى عَنْهَا فَلْيَمْنَحْهَا أَخَاهُ أَوْ لِيَدَعْ وَنَهَاكُمْ عَنِ الْمُزَابَنَةِ وَالْمُزَابَنَةُ الرَّجُلُ يَجِيءُ إِلَى النَّخْلِ الْكَثِيرِ بِالْمَالِ الْعَظِيمِ فَيَقُولُ: خُذْهُ بِكَذَا وَكَذَا وَسْقاً مِنْ تَمْرِ ذٰلِكَ الْعَامِ».

3871 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يَعْقُوبَ بْنِ إِسْحَاقَ قَالَ: حَدَّثَنَا عَفَّانُ قَالَ: حَدَّثَنَا عَبْدُ الْوَاحِدِ قَالَ: حَدَّثَنَا سَعِيدُ بْنُ عَبْدِ الرَّحْمٰنِ عَنْ مُجَاهِدٍ قَالَ: حَدَّثَنِي أُسَيْدُ بْنُ رَافِعِ بْنِ خَدِيجٍ قَالَ: قَالَ رَافِعُ بْنُ خَدِيجٍ: نَهَاكُمْ رَسُولُ ٱللَّهِ ﷺ عَنْ أَمْرٍ كَانَ لَنَا نَافِعاً وَطَاعَةُ رَسُولِ ٱللَّهِ ﷺ أَنْفَعُ لَنَا قَالَ: **«مَنْ كَانَتْ لَهُ أَرْضٌ فَلْيَزْرَعْهَا فَإِنْ عَجَزَ عَنْهَا فَلْيُزْرِعْهَا أَخَاهُ»** خَالَفَهُ عَبْدُ الْكَرِيمِ بْنُ مَالِكٍ.

3872 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا عُبَيْدُ ٱللَّهِ يَعْنِي ٱبْنَ عَمْرٍو عَنْ عَبْدِ الْكَرِيمِ عَنْ مُجَاهِدٍ قَالَ: أَخَذْتُ بِيَدِ طَاوُسٍ حَتَّى أَدْخَلْتُهُ عَلَى ٱبْنِ رَافِعِ بْنِ خَدِيجٍ فَحَدَّثَهُ عَنْ أَبِيهِ عَنْ رَسُولِ ٱللَّهِ ﷺ **أَنَّهُ** نَهَى عَنْ كِرَاءِ الأَرْضِ فَأَبَى طَاوُسٌ فَقَالَ: سَمِعْتُ ٱبْنَ عَبَّاسٍ لاَ يَرَى بِذٰلِكَ بَأْساً. وَرَوَاهُ أَبُو عَوَانَةَ عَنْ أَبِي حَصِينٍ عَنْ مُجَاهِدٍ قَالَ: قَالَ عَنْ رَافِعٍ مُرْسَلاً.

3873- It is narrated on the authority of Rafi' Ibn Khadij that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade us to do a thing, which was been of benefit for us, but the command of the Messenger of Allah "Allah's blessing and peace be upon him" should be carried out: he forbade us to rent the land for a specific share of its yield.

3874- It is narrated on the authority of Rafi' Ibn Khadij that he said: the Messenger of Allah "Allah's blessing and peace be upon him" came upon the land of a man from amongst the Ansar, and the Messenger of Allah "Allah's blessing and peace be upon him" knew that he was in need, and asked: "Whose is this land?" he said: "It is the land of so and so, who has rented it to me (to cultivate) for charge." On that he said: "If he gives it as gratis to his brother (it would be much better)." On that Rafi' Ibn Khadij came to the Ansar and said to them: the Messenger of Allah "Allah's blessing and peace be upon him" forbade you to do a thing, which was been of benefit for you, even though the obedience of Allah and His Messenger is much more beneficial for you."

3875- It is narrated on the authority of Rafi' Ibn Khadij that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade Haql (to rent the land for a specific share of its yield).

3876- It is narrated on the authority of Rafi' Ibn Khadij that he said: the Messenger of Allah "Allah's blessing and peace be upon him" came out to us and forbade us to do a thing, which was been of benefit for us, (even though the obedience of Allah and His Messenger is much more beneficial for us). He said: "He, who has got a (piece of) land, let him cultivate it by himself, or give it as gratis (to his brother to cultivate), or leave it."

3877- It is narrated on the authority of Rafi' Ibn Khadij that he said: the Messenger of Allah "Allah's blessing and peace be upon him" came out to us and forbade us to do a thing, which was been of benefit for us, even though the obedience of Allah and His Messenger is much more beneficial for us. He said: "He, who has got a (piece of) land, let him cultivate it by himself, or leave it (uncultivated) or give it as gratis (to his brother to cultivate)."

3878- It is narrated on the authority of Amr Ibn Dinar that Tawus disliked to rent his land in return for gold or silver, and he saw no harm to rent it in return for one-third or one-fourth its yield. Mujahid said to him: "Go to Ibn Rafi' Ibn Khadij, and listen to his narration." On that he said: "By Allah, had I known that the Messenger of Allah "Allah's blessing and peace be upon him" forbade it, surely, I would not have done it. But the one who is more

3873 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا أَبُو عَوَانَةَ عَنْ أَبِي حَصِينٍ عَنْ مُجَاهِدٍ قَالَ: قَالَ رَافِعُ بْنُ خَدِيجٍ: «نَهَانَا رَسُولُ ٱللَّهِ ﷺ عَنْ أَمْرٍ كَانَ لَنَا نَافِعاً وَأَمْرُ رَسُولِ ٱللَّهِ ﷺ عَلَى الرَّأْسِ وَالْعَيْنِ نَهَانَا أَنْ نَتَقَبَّلَ الأَرْضَ بِبَعْضِ خَرْجِهَا». تَابَعَهُ إِبْرَاهِيمُ بْنُ مُهَاجِرٍ.

3874 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ عَنْ عُبَيْدِ ٱللَّهِ قَالَ: حَدَّثَنَا إِسْرَائِيلُ عَنْ إِبْرَاهِيمَ بْنِ مُهَاجِرٍ عَنْ مُجَاهِدٍ عَنْ رَافِعِ بْنِ خَدِيجٍ قَالَ: مَرَّ النَّبِيُّ ﷺ عَلَى أَرْضِ رَجُلٍ مِنَ الأَنْصَارِ قَدْ عَرَفَ أَنَّهُ مُحْتَاجٌ فَقَالَ: **«لِمَنْ هٰذِهِ الأَرْضُ؟»** قَالَ: لِفُلاَنٍ أَعْطَانِيهَا بِالأَجْرِ فَقَالَ: **«لَوْ مَنَحَهَا أَخَاهُ»** فَأَتَى رَافِعٌ الأَنْصَارَ فَقَالَ: «إِنَّ رَسُولَ ٱللَّهِ ﷺ نَهَاكُمْ عَنْ أَمْرٍ كَانَ لَكُمْ نَافِعاً وَطَاعَةُ رَسُولِ ٱللَّهِ ﷺ أَنْفَعُ لَكُمْ».

3875 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى وَمُحَمَّدُ بْنُ بَشَّارٍ قَالاَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنِ الْحَكَمِ عَنْ مُجَاهِدٍ عَنْ رَافِعِ بْنِ خَدِيجٍ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ عَنِ الْحَقْلِ».

3876 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ عَنْ خَالِدٍ وَهُوَ ٱبْنُ الْحَارِثِ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَبْدِ الْمَلِكِ عَنْ مُجَاهِدٍ قَالَ: حَدَّثَ رَافِعُ بْنُ خَدِيجٍ قَالَ: خَرَجَ إِلَيْنَا رَسُولُ ٱللَّهِ ﷺ فَنَهَانَا عَنْ أَمْرٍ كَانَ لَنَا نَافِعاً فَقَالَ: **«مَنْ كَانَ لَهُ أَرْضٌ فَلْيَزْرَعْهَا أَوْ يَمْنَحْهَا أَوْ يَذَرْهَا»**.

3877 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا حَجَّاجٌ قَالَ: حَدَّثَنِي شُعْبَةُ عَنْ عَبْدِ الْمَلِكِ عَنْ عَطَاءٍ وَطَاوُسٍ وَمُجَاهِدٍ عَنْ رَافِعِ بْنِ خَدِيجٍ قَالَ: خَرَجَ إِلَيْنَا رَسُولُ ٱللَّهِ ﷺ فَنَهَانَا عَنْ أَمْرٍ كَانَ لَنَا نَافِعاً وَأَمْرُ رَسُولِ ٱللَّهِ ﷺ خَيْرٌ لَنَا قَالَ: **«مَنْ كَانَ لَهُ أَرْضٌ فَلْيَزْرَعْهَا أَوْ لِيَذَرْهَا أَوْ لِيَمْنَحْهَا»** وَمِمَّا يَدُلُّ عَلَى أَنَّ طَاوُساً لَمْ يَسْمَعْ هٰذَا الْحَدِيثَ.

3878 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا زَكَرِيَّا بْنُ عَدِيٍّ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنْ عَمْرِو بْنِ دِينَارٍ قَالَ: كَانَ طَاوُسٌ يَكْرَهُ أَنْ يُؤَاجِرَ أَرْضَهُ بِالذَّهَبِ وَالْفِضَّةِ وَلاَ يَرَى بِالثُّلُثِ وَالرُّبُعِ بَأْساً فَقَالَ لَهُ مُجَاهِدٌ: ٱذْهَبْ إِلَى ٱبْنِ رَافِعِ بْنِ خَدِيجٍ فَٱسْمَعْ مِنْهُ حَدِيثَهُ فَقَالَ: إِنِّي وَٱللَّهِ لَوْ أَعْلَمُ أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْهُ مَا فَعَلْتُهُ

learnt than him (Ibn Rafi'), i.e. Ibn Abbas, told me that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you give his land as gratis to his brother (to cultivate it), it will be much better for him than to take a specific amount for renting it.""

3879- It is narrated on the authority of Jabir that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has got a (piece of) land, let him cultivate it by himself, and in case he fails to cultivate it by himself, let him give it as gratis to his Muslim brother (to cultivate it), without renting it to him."

3880- It is narrated on the authority of Jabir that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has got a (piece of) land, let him cultivate it by himself, otherwise, let him give it as gratis to his brother (to cultivate it), without renting it to him."

3881- It is narrated on the authority of Jabir that he said: Some people had surplus land, which they used to rent for a half, one-third or one-fourth the yield, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has got a (piece of) land, let him cultivate it by himself, or let him give it as gratis to his brother to cultivate it, otherwise, let him leave it (uncultivated)."

3882- It is narrated on the authority of Jabir that he said: the Messenger of Allah "Allah's blessing and peace be upon him" addressed us saying: "He, who has got a (piece of) land, let him cultivate it by himself, otherwise, let him give it (as gratis to his brother) to cultivate it, but he should not rent it (for a specific share of its yield)."

3883- It is narrated on the authority of Jabir, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him" that he forbade renting the land (for a specific share of its yield).

3884- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Mukhabarah (renting the land for a fixed amount of the crops), Muzabanah (selling fresh fruits for dry fruits (of the same kind with measure which leads to disputes among the people as being based upon dangers and mistakes), Muhaqalah (renting the land for a specific share of its yield), and selling date-palm trees until (their fruits) have become ripe and fit for eating, except for the fresh fruits on the trees (whose selling is deprived of prohibition as being granted to poor and needy people).

3885- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (renting the

وَلٰكِنْ حَدَّثَنِي مَنْ هُوَ أَعْلَمُ مِنْهُ ٱبْنُ عَبَّاسٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ إِنَّمَا قَالَ: **«لأَنْ يَمْنَحَ أَحَدُكُمْ أَخَاهُ أَرْضَهُ خَيْرٌ مِنْ أَنْ يَأْخُذَ عَلَيْهَا خَرَاجاً مَعْلُوماً»**. وَقَدِ ٱخْتُلِفَ عَلَى عَطَاءٍ فِي هٰذَا الْحَدِيثِ فَقَالَ عَبْدُ الْمَلِكِ بْنُ مَيْسَرَةَ عَنْ عَطَاءٍ عَنْ رَافِعٍ وَقَدْ تَقَدَّمَ ذِكْرُنَا لَهُ وَقَالَ عَبْدُ الْمَلِكِ بْنُ أَبِي سُلَيْمَانَ عَنْ عَطَاءٍ عَنْ جَابِرٍ.

3879 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدُ بْنُ الْحَارِثِ قَالَ: حَدَّثَنَا عَبْدُ الْمَلِكِ عَنْ عَطَاءٍ عَنْ جَابِرٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«مَنْ كَانَ لَهُ أَرْضٌ فَلْيَزْرَعْهَا فَإِنْ عَجَزَ أَنْ يَزْرَعَهَا فَلْيَمْنَحْهَا أَخَاهُ الْمُسْلِمَ وَلاَ يُزْرِعْهَا إِيَّاهُ»**.

3880 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا عَبْدُ الْمَلِكِ عَنْ عَطَاءٍ عَنْ جَابِرٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ كَانَتْ لَهُ أَرْضٌ فَلْيَزْرَعْهَا أَوْ لِيَمْنَحْهَا أَخَاهُ وَلاَ يُكْرِيهَا»**. تَابَعَهُ عَبْدُ الرَّحْمٰنِ بْنُ عَمْرٍو الأَوْزَاعِيُّ.

3881 ـ أَخْبَرَنَا هِشَامُ بْنُ عَمَّارٍ عَنْ يَحْيَى بْنِ حَمْزَةَ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ عَنْ عَطَاءٍ عَنْ جَابِرٍ قَالَ: كَانَ لأُنَاسٍ فُضُولُ أَرْضِينَ يُكْرُونَهَا بِالنِّصْفِ وَالثُّلُثِ وَالرُّبُعِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ كَانَتْ لَهُ أَرْضٌ فَلْيَزْرَعْهَا أَوْ يُزْرِعْهَا أَوْ يُمْسِكْهَا»**. وَافَقَهُ مَطَرُ بْنُ طَهْمَانَ.

3882 ـ أَخْبَرَنَا عِيسَى بْنُ مُحَمَّدٍ وَهُوَ أَبُو عُمَيْرِ بْنِ النَّحَّاسِ وَعِيسَى بْنُ يُونُسَ هُوَ الْفَاخُورِيّ قَالاَ: حَدَّثَنَا ضَمْرَةُ عَنِ ٱبْنِ شَوْذَبٍ عَنْ مَطَرٍ عَنْ عَطَاءٍ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ قَالَ: خَطَبَنَا رَسُولُ ٱللَّهِ ﷺ فَقَالَ: **«مَنْ كَانَتْ لَهُ أَرْضٌ فَلْيَزْرَعْهَا أَوْ لِيُزْرِعْهَا وَلاَ يُؤَاجِرْهَا»**.

3883 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ عَنْ يُونُسَ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ مَطَرٍ عَنْ عَطَاءٍ عَنْ جَابِرٍ رَفَعَهُ: نَهَى عَنْ كِرَاءِ الأَرْضِ. وَافَقَهُ عَبْدُ الْمَلِكِ بْنُ عَبْدِ الْعَزِيزِ بْنِ جُرَيْجٍ عَلَى النَّهْيِ عَنْ كِرَاءِ الأَرْضِ.

3884 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا الْمُفَضَّلُ عَنِ ٱبْنِ جُرَيْجٍ عَنْ عَطَاءٍ وَأَبِي الزُّبَيْرِ عَنْ جَابِرٍ: أَنَّ النَّبِيَّ ﷺ «نَهَى عَنِ الْمُخَابَرَةِ وَالْمُزَابَنَةِ وَالْمُحَاقَلَةِ وَبَيْعِ الثَّمَرِ حَتَّى يُطْعَمَ إِلاَّ الْعَرَايَا». تَابَعَهُ يُونُسُ بْنُ عُبَيْدٍ.

3885 ـ أَخْبَرَنِي زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا عَبَّادُ بْنُ الْعَوَّامِ قَالَ: حَدَّثَنَا سُفْيَانُ بْنُ حُسَيْنٍ قَالَ: حَدَّثَنَا يُونُسُ بْنُ عُبَيْدٍ عَنْ عَطَاءٍ عَنْ جَابِرٍ: أَنَّ النَّبِيَّ ﷺ «نَهَى عَنِ الْمُحَاقَلَةِ

land for a specific share of its yield), Muzabanah (selling fresh fruits for dry fruits (of the same kind with measure which leads to disputes among the people as being based upon dangers and mistakes), and Mukhabarah (renting the land for a fixed amount of the crops), and (he also forbade) making exception unless it is known (in measure and weight). However, Ata' did not listen from Jabir his narration he related from the Messenger of Allah "Allah's blessing and peace be upon him" in which he said: "He, who has got a (piece of) land, let him cultivate it by himself..."

3886- It is narrated on the authority of Jabir that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has got a (piece of) land, let him cultivate it by himself, otherwise, let him give it (as gratis) to his brother to cultivate it, but he should not rent it to him (for a specific share of its yield)." He also forbade Muhaqalah (renting the land for a specific share of its yield).

3887- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Haql, which is similar (in its danger and negative effects) to Muzabanah.

3888- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Muzabanah (selling fresh fruits for dry fruits (of the same kind with measure which leads to disputes among the people as being based upon dangers and mistakes), and Mukhabarah, which means here to sell the fruits before being ripe (i.e. their benefit seems evident and they become fit for eating), as well as it also means to sell vine for such and such (a fixed amount of) Sa's of raisins.

3889- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (renting the land for a specific share of its yield), and Muzabanah (selling fresh fruits for dry fruits (of the same kind with measure which leads to disputes among the people as being based upon dangers and mistakes).

3890- It is narrated on the authority of Abu Sa'id Al-Khudri that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (renting the land for a specific share of its yield), and Muzabanah (selling fresh fruits for dry fruits (of the same kind with measure which leads to disputes among the people as being based upon dangers and mistakes).

3891- It is narrated on the authority of Rafi' Ibn Khadij that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (renting the land for a specific share of its yield), and Muzabanah

وَالْمُزَابَنَةِ وَالْمُخَابَرَةِ وَعَنِ الثُّنْيَا إِلاَّ أَنْ تُعْلَمَ» وَفِي رِوَايَةِ هَمَّامِ بْنِ يَحْيَى كَالدَّلِيلِ عَلَى: أَنَّ عَطَاءً لَمْ يَسْمَعْ مِنْ جَابِرٍ حَدِيثَهُ عَنِ النَّبِيِّ ﷺ **«مَنْ كَانَ لَهُ أَرْضٌ فَلْيَزْرَعْهَا»**.

3886 ـ أَخْبَرَنِي أَحْمَدُ بْنُ يَحْيَى قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا هَمَّامُ بْنُ يَحْيَى قَالَ: سَأَلَ عَطَاءُ سُلَيْمَانَ بْنَ مُوسَى قَالَ: حَدَّثَ جَابِرٌ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«مَنْ كَانَتْ لَهُ أَرْضٌ فَلْيَزْرَعْهَا أَوْ لِيُزْرِعْهَا أَخَاهُ وَلاَ يُكْرِيهَا أَخَاهُ»**. وَقَدْ رَوَى النَّهْيَ عَنِ الْمُحَاقَلَةِ يَزِيدُ بْنُ نُعَيْمٍ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ.

3887 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ إِدْرِيسَ قَالَ: حَدَّثَنَا أَبُو تَوْبَةَ قَالَ: حَدَّثَنَا مُعَاوِيَةُ بْنُ سَلاَّمٍ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ عَنْ يَزِيدَ بْنِ نُعَيْمٍ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ: أَنَّ النَّبِيَّ ﷺ «نَهَى عَنِ الْحَقْلِ وَهِيَ الْمُزَابَنَةُ» خَالَفَهُ هِشَامٌ وَرَوَاهُ عَنْ يَحْيَى عَنْ أَبِي سَلَمَةَ عَنْ جَابِرٍ.

3888 ـ أَخْبَرَنَا الثِّقَةُ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ مَسْعَدَةَ عَنْ هِشَامِ بْنِ أَبِي عَبْدِ ٱللَّهِ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ عَنْ أَبِي سَلَمَةَ عَنْ جَابِرِ بْنِ عَبْدِ ٱللَّهِ: أَنَّ النَّبِيَّ ﷺ «نَهَى عَنِ الْمُزَابَنَةِ وَالْمُخَاضَرَةِ وَقَالَ: الْمُخَاضَرَةُ بَيْعُ الثَّمَرِ قَبْلَ أَنْ يَزْهُوَ وَالْمُخَابَرَةُ بَيْعُ الْكَرْمِ بِكَذَا وَكَذَا صَاعٍ» خَالَفَهُ عَمْرُو بْنُ أَبِي سَلَمَةَ فَقَالَ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ.

3889 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ سَعْدِ بْنِ إِبْرَاهِيمَ عَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ» خَالَفَهُمَا مُحَمَّدُ بْنُ عَمْرٍو فَقَالَ عَنْ أَبِي سَلَمَةَ عَنْ أَبِي سَعِيدٍ.

3890 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا يَحْيَى وَهُوَ ٱبْنُ آدَمَ قَالَ: حَدَّثَنَا عَبْدُ الرَّحِيمِ عَنْ مُحَمَّدِ بْنِ عَمْرٍو عَنْ أَبِي سَلَمَةَ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ» خَالَفَهُمُ الأَسْوَدُ بْنُ الْعَلاَءِ فَقَالَ: عَنْ أَبِي سَلَمَةَ عَنْ رَافِعِ بْنِ خَدِيجٍ.

3891 ـ أَخْبَرَنَا زَكَرِيَّا بْنُ يَحْيَى قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ يَزِيدَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ حُمْرَانَ قَالَ: حَدَّثَنَا عَبْدُ الْحَمِيدِ بْنُ جَعْفَرٍ عَنِ الأَسْوَدِ بْنِ الْعَلاَءِ عَنْ أَبِي سَلَمَةَ عَنْ رَافِعِ بْنِ خَدِيجٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ «نَهَى عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ»

(selling fresh fruits for dry fruits (of the same kind with measure which leads to disputes among the people as being based upon dangers and mistakes).

3892- It is narrated on the authority of Uthman Ibn Murrah that he said: I asked Al-Qasim about sharecropping, thereupon he related to me from Rafi Ibn Khadij that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (renting the land for a specific share of its yield), and Muzabanah (selling fresh fruits for dry fruits (of the same kind with measure which leads to disputes among the people as being based upon dangers and mistakes).

3893- It is narrated on the authority of Uthman Ibn Murrah that he said: I asked Al-Qasim about renting the land (for a specific share of its yield), thereupon he related to me that Rafi Ibn Khadij said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land (for a specific share of its yield).

3894- It is narrated on the authority of Abu Ja'far Al-Khatmi, and his name is Umair Ibn Yazid, that he said: My paternal uncle sent me in the company of a young man belonging to him to Sa'id Ibn Al-Musayyab, in order to ask him about sharecropping. He said: Ibn Umar, at first, thought there was no harm in it until he was informed of the narration of Rafi' Ibn Khadij concerning that. He went to him, and Rafi' told him that the Messenger of Allah "Allah's blessing and peace be upon him" went to the land of Banu Harithah (and found the land of Zuhair, the landlord, well-cultivated), thereupon he said: "How good is the plant of Zuhair!" they said: "It is not the plant of Zuhair." He asked: "Is it not the land of Zuhair?" they said: "Yes, but he rented it to somebody to cultivate it." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, take your plant and restore the agricultural cost to him." Rafi' added: Then, we took our plant and restored the agricultural cost to him.

3895- It is narrated on the authority of Rafi' Ibn Khadij that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (renting the field in return for a measured amount of the yield), and Muzabanah (selling fresh fruits on the trees for a measured amount of fruits of the same kind), and he said: "Three (types of people are permitted to) cultivate (their land): a man who has a (piece of) land in his possession, which he cultivates by himself; a man who is granted a (piece of) land, and he cultivates whatever gift he is given; and a man who takes on lease a (piece of) land, which he cultivates in return for (coins of) gold and silver."

رَوَاهُ الْقَاسِمُ بْنُ مُحَمَّدٍ عَنْ رَافِعِ بْنِ خَدِيجٍ.

3892 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا أَبُو عَاصِمٍ قَالَ: حَدَّثَنَا عُثْمَانُ بْنُ مُرَّةَ قَالَ: سَأَلْتُ الْقَاسِمَ عَنِ الْمُزَارَعَةِ فَحَدَّثَ عَنْ رَافِعِ بْنِ خَدِيجٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ «نَهَى عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: مَرَّةً أُخْرَى.

3893 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: قَالَ أَبُو عَاصِمٍ: عَنْ عُثْمَانَ بْنِ مُرَّةَ قَالَ: سَأَلْتُ الْقَاسِمَ عَنْ كِرَاءِ الأَرْضِ فَقَالَ: قَالَ رَافِعُ بْنُ خَدِيجٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ «نَهَى عَنْ كِرَاءِ الأَرْضِ» وَٱخْتُلِفَ عَلَى سَعِيدِ بْنِ الْمُسَيَّبِ فِيهِ.

3894 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا يَحْيَى عَنْ أَبِي جَعْفَرٍ الْخَطْمِيِّ وَٱسْمُهُ عُمَيْرُ بْنُ يَزِيدَ قَالَ: أَرْسَلَنِي عَمِّي وَغُلاَماً لَهُ إِلَى سَعِيدِ بْنِ الْمُسَيَّبِ أَسْأَلُهُ عَنِ الْمُزَارَعَةِ فَقَالَ: كَانَ ٱبْنُ عُمَرَ لاَ يَرَى بِهَا بَأْساً حَتَّى بَلَغَهُ عَنْ رَافِعِ بْنِ خَدِيجٍ حَدِيثٌ فَلَقِيَهُ فَقَالَ رَافِعٌ: أَتَى النَّبِيُّ ﷺ بَنِي حَارِثَةَ فَرَأَى زَرْعاً فَقَالَ: مَا أَحْسَنَ زَرْعَ ظُهَيْرٍ فَقَالُوا: لَيْسَ لِظُهَيْرٍ فَقَالَ: أَلَيْسَ أَرْضُ ظُهَيْرٍ؟ قَالُوا: بَلَى وَلٰكِنَّهُ أَزْرَعَهَا فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«خُذُوا زَرْعَكُمْ وَرُدُّوا إِلَيْهِ نَفَقَتَهُ»**. قَالَ: فَأَخَذْنَا زَرْعَنَا وَرَدَدْنَا إِلَيْهِ نَفَقَتَهُ. وَرَوَاهُ طَارِقُ بْنُ عَبْدِ الرَّحْمٰنِ عَنْ سَعِيدٍ وَٱخْتُلِفَ عَلَيْهِ فِيهِ.

3895 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا أَبُو الأَحْوَصِ عَنْ طَارِقٍ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ رَافِعِ بْنِ خَدِيجٍ قَالَ: نَهَى رَسُولُ ٱللَّهِ ﷺ عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ وَقَالَ: **«إِنَّمَا يَزْرَعُ ثَلاَثَةٌ رَجُلٌ لَهُ أَرْضٌ فَهُوَ يَزْرَعُهَا أَوْ رَجُلٌ مُنِحَ أَرْضاً فَهُوَ يَزْرَعُ مَا مُنِحَ أَوْ رَجُلٌ ٱسْتَكْرَى أَرْضاً بِذَهَبٍ أَوْ فِضَّةٍ»** مَيَّزَهُ إِسْرَائِيلُ عَنْ طَارِقٍ فَأَرْسَلَ الْكَلاَمَ الأَوَّلَ وَجَعَلَ الأَخِيرَ مِنْ قَوْلِ سَعِيدٍ.

3896- It is narrated on the authority of Sa'id that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (renting the field in return for a measured amount of the yield).

3897- It is narrated on the authority of Sa'id Ibn Al-Musayyab that he said: "Three (types of people are permitted to) cultivate (their land): a man who has a (piece of) land in his possession (which he cultivates by himself); a man who is granted a (piece of) land (and he cultivates whatever gift he is given); and a man who takes on lease a (piece of) land, which he cultivates in return for (coins of) gold and silver."

3898- It is narrated on the authority of Sa'id Ibn Al-Musayyab that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (renting the field in return for a measured amount of the yield), and Muzabanah (selling fresh fruits on the trees for a measured amount of fruits of the same kind).

3899- It is narrated on the authority of Sa'd Ibn Abu Waqqas that he said: During the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", the people used to rent their farms for what would grow on the banks of the springs, and they came to The Messenger of Allah "Allah's blessing and peace be upon him", and appealed to him to judge between them concerning their disputes about that, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" forbade them to rent their farms on that condition, and said: "Rent (your farms) for gold and silver."

3900- It is narrated on the authority of Rafi' Ibn Khadij that he said: During the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", we used to rent the land for one-third or one-fourth (its yield), or for a definite amount of food. One day, one of my paternal uncles came to us and said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to do a thing, which was been of benefit for us, but the obedience of Allah and His Messenger is much more beneficial for us. He forbade us to rent the land for one-third or one-fourth (its yield), or for a definite amount of food. Therefore, he ordered that the landlord should either cultivate the land himself (if he so liked), or give it to somebody else gratis to cultivate it. He (The Prophet) disliked renting it and the like of that."

3901- It is narrated on the authority of Rafi' Ibn Khadij that he said: During the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", we used to rent the land for one-third or one-fourth (its yield) or for a definite amount of food.

3896 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ مُوسَى قَالَ: أَنْبَأَنَا إِسْرَائِيلُ عَنْ طَارِقٍ عَنْ سَعِيدٍ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ عَنِ الْمُحَاقَلَةِ» قَالَ سَعِيدٌ فَذَكَرَهُ نَحْوَهُ رَوَاهُ سُفْيَانُ الثَّوْرِيُّ عَنْ طَارِقٍ.

3897 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَلِيٍّ وَهُوَ ٱبْنُ مَيْمُونٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ طَارِقٍ قَالَ: سَمِعْتُ سَعِيدَ بْنَ الْمُسَيَّبِ يَقُولُ: «لاَ يُصْلِحُ الزَّرْعَ غَيْرُ ثَلاَثٍ: أَرْضٍ يَمْلِكُ رَقَبَتَهَا أَوْ مِنْحَةٍ أَوْ أَرْضٍ بَيْضَاءَ يَسْتَأْجِرُهَا بِذَهَبٍ أَوْ فِضَّةٍ» وَرَوَى الزُّهْرِيُّ الْكَلاَمَ الأَوَّلَ عَنْ سَعِيدٍ فَأَرْسَلَهُ.

3898 ـ قَالَ الحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ابْنِ الْقَاسِمِ قَالَ: حَدَّثَنِي مَالِكٌ عَنِ ٱبْنِ شِهَابٍ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ «نَهَى عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ» وَرَوَاهُ مُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ بْنِ لَبِيبَةَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ فَقَالَ عَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ.

3899 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعْدِ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنِي عَمِّي قَالَ: حَدَّثَنَا أَبِي عَنْ مُحَمَّدِ بْنِ عِكْرِمَةَ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ لَبِيبَةَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ قَالَ: كَانَ أَصْحَابُ الْمَزَارِعِ يَكْرُونَ فِي زَمَانِ رَسُولِ ٱللَّهِ ﷺ مَزَارِعَهُمْ بِمَا يَكُونُ عَلَى السَّاقِي مِنَ الزَّرْعِ فَجَاؤُوا رَسُولَ ٱللَّهِ ﷺ فَاخْتَصَمُوا فِي بَعْضِ ذٰلِكَ فَنَهَاهُمْ رَسُولُ ٱللَّهِ ﷺ أَنْ يُكْرُوا بِذٰلِكَ وَقَالَ: «**أَكْرُوا بِالذَّهَبِ وَالْفِضَّةِ**» وَقَدْ رَوَى هٰذَا الْحَدِيثَ سُلَيْمَانُ عَنْ رَافِعٍ فَقَالَ عَنْ رَجُلٍ مِنْ عُمُومَتِهِ.

3900 ـ أَخْبَرَنِي زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا ٱبْنُ عُلَيَّةَ قَالَ: أَنْبَأَنَا أَيُّوبُ عَنْ يَعْلَى بْنِ حَكِيمٍ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ عَنْ رَافِعِ بْنِ خَدِيجٍ قَالَ: كُنَّا نُحَاقِلُ بِالأَرْضِ عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ فَنُكْرِيهَا بِالثُّلُثِ وَالرُّبُعِ وَالطَّعَامِ الْمُسَمَّى فَجَاءَ ذَاتَ يَوْمٍ رَجُلٌ مِنْ عُمُومَتِي فَقَالَ: «نَهَانِي رَسُولُ ٱللَّهِ ﷺ عَنْ أَمْرٍ كَانَ لَنَا نَافِعاً وَطَوَاعِيَةُ ٱللَّهِ وَرَسُولِهِ أَنْفَعُ لَنَا نَهَانَا أَنْ نُحَاقِلَ بِالأَرْضِ وَنُكْرِيَهَا بِالثُّلُثِ وَالرُّبُعِ وَالطَّعَامِ الْمُسَمَّى وَأَمَرَ رَبَّ الأَرْضِ أَنْ يَزْرَعَهَا أَوْ يُزْرِعَهَا وَكَرِهَ كِرَاءَهَا وَمَا سِوَى ذٰلِكَ». أَيُّوبُ لَمْ يَسْمَعْهُ مِنْ يَعْلَى.

3901 ـ أَخْبَرَنِي زَكَرِيَّا بْنُ يَحْيَى قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عُبَيْدٍ قَالَ: حَدَّثَنَا حَمَّادٌ عَنْ أَيُّوبَ قَالَ: كَتَبَ إِلَيَّ يَعْلَى بْنُ حَكِيمٍ أَنِّي سَمِعْتُ سُلَيْمَانَ بْنَ يَسَارٍ يُحَدِّثُ عَنْ رَافِعِ بْنِ خَدِيجٍ قَالَ: «كُنَّا نُحَاقِلُ الأَرْضَ نُكْرِيهَا بِالثُّلُثِ وَالرُّبُعِ وَالطَّعَامِ الْمُسَمَّى» رَوَاهُ سَعِيدٌ عَنْ يَعْلَى بْنِ حَكِيمٍ.

3902- It is narrated on the authority of Rafi' Ibn Khadij that he said: During the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", we used to rent the land (for one-third or one-fourth its yield. He pretended that one of his paternal uncles came to him and said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade me to do a thing, which was been of benefit for us, but the obedience of Allah and His Messenger is much more beneficial for us." We asked: "What is that?" He said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has got a (piece of) land, let him cultivate it by himself, or give it as gratis to his brother to cultivate it, and let not him rent the land for one-third or one-fourth (its yield), or for a definite amount of food."

3903- It is narrated on the authority of Hanzalah Ibn Qais from Rafi' Ibn Khadij that he said: One of my paternal uncles told me that during the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", they used to rent the land for what would grow on the banks of the spring, in addition to something from the yield which the landlord would keep for himself. The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to do so. I asked Rafi': "Then, how should the land be rented? Should it be rented for Dinar and Dirham?" Rafi' said: "There is no harm in that."

3904- It is narrated on the authority of Hanzalah Ibn Qais Al-Ansari that he said: I asked Rafi' Ibn Khadij about renting the land for Dinar and Dirham, thereupon he said: There is no harm in that. during the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", they used to rent the land for what would grow on the banks of the springs, and the heads of the streams, and it happened that that portion would be safe and this portion would be blighted, and vice versa; and since the people at that time had no other way of renting their farms other than that, they were forbidden to do so. But as for renting the land for a definite thing (such as money), there is no harm in it.

3905- It is narrated on the authority of Hanzalah Ibn Qais Al-Ansari that he said: I asked Rafi' Ibn Khadij about renting the land. He said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade that. I asked him: "Even for Dinar and Dirham (i.e. gold and silver)? He said: No. he forbade renting the land for what would be produced out of it. But as for renting it for gold and silver, there is no harm in it.

3906- It is narrated on the authority of Hanzalah Ibn Qais Al-Ansari that he said: I asked Rafi' Ibn Khadij about renting the land for Dinar and

3902 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدُ بْنُ الْحَارِثِ عَنْ سَعِيدٍ عَنْ يَعْلَى بْنِ حَكِيمٍ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ أَنَّ رَافِعَ بْنَ خَدِيجٍ قَالَ: كُنَّا نُحَاقِلُ عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ فَزَعَمَ أَنَّ بَعْضَ عُمُومَتِهِ أَتَاهُ فَقَالَ: نَهَانِي رَسُولُ ٱللَّهِ ﷺ عَنْ أَمْرٍ كَانَ لَنَا نَافِعاً وَطَوَاعِيَةُ ٱللَّهِ وَرَسُولِهِ أَنْفَعُ لَنَا قُلْنَا: وَمَا ذَاكَ؟ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ كَانَتْ لَهُ أَرْضٌ فَلْيَزْرَعْهَا أَوْ لِيُزْرِعْهَا أَخَاهُ وَلاَ يُكَارِيهَا بِثُلُثٍ وَلاَ رُبُعٍ وَلاَ طَعَامٍ مُسَمًّى»** رَوَاهُ حَنْظَلَةُ بْنُ قَيْسٍ عَنْ رَافِعٍ فَٱخْتَلَفَ عَلَى رَبِيعَةَ فِي رِوَايَتِهِ.

3903 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا حُجَيْنُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنْ رَبِيعَةَ بْنِ أَبِي عَبْدِ الرَّحْمٰنِ عَنْ حَنْظَلَةَ بْنِ قَيْسٍ عَنْ رَافِعِ بْنِ خَدِيجٍ قَالَ: حَدَّثَنِي عَمِّي: أَنَّهُمْ كَانُوا يُكْرُونَ الأَرْضَ عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ بِمَا يَنْبُتُ عَلَى الأَرْبِعَاءِ وَشَيْءٍ مِنَ الزَّرْعِ يَسْتَثْنِي صَاحِبُ الأَرْضِ فَنَهَانَا رَسُولُ ٱللَّهِ ﷺ عَنْ ذٰلِكَ فَقُلْتُ لِرَافِعٍ: فَكَيْفَ كِرَاؤُهَا بِالدِّينَارِ وَالدِّرْهَمِ؟ فَقَالَ رَافِعٌ: لَيْسَ بِهَا بَأْسٌ بِالدِّينَارِ وَالدِّرْهَمِ. خَالَفَهُ الأَوْزَاعِيُّ.

3904 ـ أَخْبَرَنِي الْمُغِيرَةُ بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا عِيسَى وَهُوَ ٱبْنُ يُونُسَ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ عَنْ رَبِيعَةَ بْنِ أَبِي عَبْدِ الرَّحْمٰنِ عَنْ حَنْظَلَةَ بْنِ قَيْسٍ الأَنْصَارِيِّ قَالَ: سَأَلْتُ رَافِعَ بْنَ خَدِيجٍ عَنْ كِرَاءِ الأَرْضِ بِالدِّينَارِ وَالْوَرِقِ فَقَالَ: لاَ بَأْسَ بِذٰلِكَ إِنَّمَا كَانَ النَّاسُ عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ يُؤَاجِرُونَ عَلَى الْمَاذِيَانَاتِ وَأَقْبَالِ الْجَدَاوِلِ فَيَسْلَمُ هٰذَا وَيَهْلِكُ هٰذَا وَيَسْلَمُ هٰذَا وَيَهْلِكُ هٰذَا فَلَمْ يَكُنْ لِلنَّاسِ كِرَاءٌ إِلاَّ هٰذَا فَلِذٰلِكَ زُجِرَ عَنْهُ فَأَمَّا شَيْءٌ مَعْلُومٌ مَضْمُونٌ فَلاَ بَأْسَ بِهِ. وَافَقَهُ مَالِكُ بْنُ أَنَسٍ عَلَى إِسْنَادِهِ وَخَالَفَهُ فِي لَفْظِهِ.

3905 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا مَالِكٌ عَنْ رَبِيعَةَ عَنْ حَنْظَلَةَ بْنِ قَيْسٍ قَالَ: سَأَلْتُ رَافِعَ بْنَ خَدِيجٍ عَنْ كِرَاءِ الأَرْضِ فَقَالَ: نَهَى رَسُولُ ٱللَّهِ ﷺ عَنْ كِرَاءِ الأَرْضِ قُلْتُ: بِالذَّهَبِ وَالْوَرِقِ؟ قَالَ: لاَ إِنَّمَا نَهَى عَنْهَا بِمَا يَخْرُجُ مِنْهَا فَأَمَّا الذَّهَبُ وَالْفِضَّةُ فَلاَ بَأْسَ. رَوَاهُ سُفْيَانُ الثَّوْرِيُّ رَضِيَ ٱللَّهُ عَنْهُ عَنْ رَبِيعَةَ وَلَمْ يَرْفَعْهُ.

3906 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ عَنْ وَكِيعٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ رَبِيعَةَ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ حَنْظَلَةَ بْنِ قَيْسٍ قَالَ: سَأَلْتُ رَافِعَ بْنَ خَدِيجٍ عَنْ كِرَاءِ الأَرْضِ

Dirham, thereupon he said: It is lawful, since there is no harm in that. As such the land should be rented.

3907- It is narrated on the authority of Rafi' Ibn Khadij that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to rent our land (for a specific share of its yield), and at that time, there was no (renting for) gold and silver, and by then a man used to rent his farm for what would grow on the bank of the spring or on the head of the stream, or for a definite amount of things...and the rest is the same.

3908- The same is narrated on the authority of Salim Ibn Abdullah.

3909- It is narrated on the authority of Ibn Shihab: Salim Ibn Abdullah told me that Abdullah Ibn Umar used to rent his land, until he was informed that Rafi Ibn Khadij related from The Messenger of Allah "Allah's blessing and peace be upon him" that he forbade renting the land. Abdullah met him and asked: "O Ibn Khadij! What do you narrate from The Messenger of Allah "Allah's blessing and peace be upon him" as regards renting the land?" Rafi Ibn Khadij said to Abdullah: "I heard my two paternal uncles – and they had attended the holy battle of Badr- telling some of the family members that The Messenger of Allah "Allah's blessing and peace be upon him" had forbidden renting the land." Abdullah said: "No doubt, I learnt that the land used to be rented during the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him"." But, Abdullah feared that perhaps The Messenger of Allah "Allah's blessing and peace be upon him" might have issued a latest command (by which he forbade it), which he (Abdullah) did not know. So, he abandoned renting the land.

3910- It is narrated on the authority of Az-Zuhri that he said: We were reported that Rafi Ibn Khadij related from his two paternal uncles –and he pretended that they had attended the holy battle of Badr- that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land.

3911- It is narrated on the authority of Az-Zuhri that he said: Sa'id Ibn Al-Musayyab used to say: There is no harm in renting the land for gold and silver (i.e. for money), even though Rafi' Ibn Khadij related that The Messenger of Allah "Allah's blessing and peace be upon him" forbade that.

3912- It is narrated on the authority of Rafi' Ibn Khadij that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land. Afterwards Rafi' was asked about the way they used to rent their land, thereupon he said: "(They used to rent the land) for a definite amount of food, on the condition that what would grow on the banks of the springs and the heads of the streams should be for us (the landlords)."

الْبَيْضَاءِ بِالذَّهَبِ وَالْفِضَّةِ فَقَالَ: حَلاَلٌ لاَ بَأْسَ بِهِ ذٰلِكَ فَرْضُ الأَرْضِ. رَوَاهُ يَحْيَى بْنُ سَعِيدٍ عَنْ حَنْظَلَةَ بْنِ قَيْسٍ وَرَفَعَهُ كَمَا رَوَاهُ مَالِكٌ عَنْ رَبِيعَةَ.

3907 ـ أَخْبَرَنَا يَحْيَى بْنُ حَبِيبِ بْنِ عَرَبِيٍّ فِي حَدِيثِهِ عَنْ حَمَّادِ بْنِ زَيْدٍ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ حَنْظَلَةَ بْنِ قَيْسٍ عَنْ رَافِعِ بْنِ خَدِيجٍ: نَهَانَا رَسُولُ ٱللَّهِ ﷺ عَنْ كِرَاءِ أَرْضِنَا وَلَمْ يَكُنْ يَوْمَئِذٍ ذَهَبٌ وَلاَ فِضَّةٌ فَكَانَ الرَّجُلُ يُكْرِي أَرْضَهُ بِمَا عَلَى الرَّبِيعِ وَالأَقْبَالِ وَأَشْيَاءَ مَعْلُومَةٍ. وَسَاقَهُ. رَوَاهُ سَالِمُ بْنُ عَبْدِ ٱللَّهِ بْنِ عُمَرَ عَنْ رَافِعِ بْنِ خَدِيجٍ وَٱخْتُلِفَ عَلَى الزُّهْرِيِّ فِيهِ.

3908 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ يَحْيَى بْنِ عَبْدِ اللَّهِ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ أَسْمَاءَ عَنْ جُوَيْرِيَةَ عَنْ مَالِكٍ عَنِ الزُّهْرِيِّ: أَنَّ سَالِمَ بْنَ عَبْدِ ٱللَّهِ وَذَكَرَ نَحْوَهُ. تَابَعَهُ عُقَيْلُ بْنُ خَالِدٍ.

3909 ـ أَخْبَرَنَا عَبْدُ الْمَلِكِ بْنُ شُعَيْبِ بْنِ اللَّيْثِ بْنِ سَعْدٍ قَالَ: حَدَّثَنَا أَبِي عَنْ جَدِّي قَالَ: أَخْبَرَنِي عُقَيْلُ بْنُ خَالِدٍ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ ٱللَّهِ: أَنَّ عَبْدَ ٱللَّهِ بْنَ عُمَرَ كَانَ يُكْرِي أَرْضَهُ حَتَّى بَلَغَهُ أَنَّ رَافِعَ بْنَ خَدِيجٍ كَانَ يَنْهَى عَنْ كِرَاءِ الأَرْضِ فَلَقِيَهُ عَبْدُ اللَّهِ فَقَالَ: يَا ٱبْنَ خَدِيجٍ مَاذَا تُحَدِّثُ عَنْ رَسُولِ ٱللَّهِ ﷺ فِي كِرَاءِ الأَرْضِ فَقَالَ رَافِعٌ لِعَبْدِ ٱللَّهِ: سَمِعْتُ عَمَّيَّ وَكَانَا قَدْ شَهِدَا بَدْراً يُحَدِّثَانِ أَهْلَ الدَّارِ أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْ كِرَاءِ الأَرْضِ قَالَ عَبْدُ ٱللَّهِ: فَلَقَدْ كُنْتُ أَعْلَمُ فِي عَهْدِ رَسُولِ ٱللَّهِ ﷺ أَنَّ الأَرْضَ تُكْرَى ثُمَّ خَشِيَ عَبْدُ ٱللَّهِ أَنْ يَكُونَ رَسُولُ ٱللَّهِ ﷺ أَحْدَثَ فِي ذٰلِكَ شَيْئاً لَمْ يَكُنْ يَعْلَمُهُ فَتَرَكَ كِرَاءَ الأَرْضِ. أَرْسَلَهُ شُعَيْبُ بْنُ أَبِي حَمْزَةَ.

3910 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ خَالِدِ بْنِ خَلِيٍّ قَالَ: حَدَّثَنَا بِشْرُ بْنُ شُعَيْبٍ عَنْ أَبِيهِ عَنِ الزُّهْرِيِّ قَالَ: بَلَغَنَا أَنَّ رَافِعَ بْنَ خَدِيجٍ كَانَ يُحَدِّثُ أَنَّ عَمَّيْهِ وَكَانَا يَزْعُمُ شَهِدَا بَدْراً: أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْ كِرَاءِ الأَرْضِ. رَوَاهُ عُثْمَانُ بْنُ سَعِيدٍ عَنْ شُعَيْبٍ وَلَمْ يَذْكُرْ عَمَّيْهِ.

3911 ـ أَخْبَرَنَا أَحْمَدُ بْنُ مُحَمَّدِ بْنِ الْمُغِيرَةِ قَالَ: حَدَّثَنَا عُثْمَانُ بْنُ سَعِيدٍ عَنْ شُعَيْبٍ قَالَ الزُّهْرِيُّ: كَانَ ٱبْنُ الْمُسَيَّبِ يَقُولُ لَيْسَ بِاسْتِكْرَاءِ الأَرْضِ بِالذَّهَبِ وَالْوَرِقِ بَأْسٌ وَكَانَ رَافِعُ بْنُ خَدِيجٍ يُحَدِّثُ أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْ ذٰلِكَ. وَافَقَهُ عَلَى إِرْسَالِهِ عَبْدُ الْكَرِيمِ بْنُ الْحَارِثِ.

3912 ـ قَالَ الْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي أَبُو خُزَيْمَةَ عَبْدُ ٱللَّهِ بْنُ طَرِيفٍ عَنْ عَبْدِ الْكَرِيمِ بْنِ الْحَارِثِ عَنِ ٱبْنِ شِهَابٍ أَنَّ رَافِعَ بْنَ خَدِيجٍ قَالَ: «نَهَى رَسُولُ ٱللَّهِ ﷺ عَنْ كِرَاءِ ٱلأَرْضِ» قَالَ ٱبْنُ شِهَابٍ. فَسُئِلَ رَافِعٌ بَعْدَ ذٰلِكَ كَيْفَ كَانُوا يُكْرُونَ الأَرْضَ؟ قَالَ: بِشَيْءٍ مِنَ الطَّعَامِ مُسَمًّى وَيُشْتَرَطُ أَنَّ لَنَا مَا تُنْبِتُ مَاذِيَانَاتُ الأَرْضِ وَأَقْبَالُ الْجَدَاوِلِ». رَوَاهُ نَافِعٌ عَنْ رَافِعِ بْنِ خَدِيجٍ وَاخْتُلِفَ عَلَيْهِ فِيهِ.

3913- It is narrated on the authority of Rafi' Ibn Khadij that he told Abdullah Ibn Umar that his paternal uncles went to The Messenger of Allah "Allah's blessing and peace be upon him" and when they returned they told that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting farms. Abdullah said: "We learn that during the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", he had a farm in his possession, which he used to rent on the condition that he should have what would grow on the bank of the spring, from which the water would gush forth, in addition to a definite amount of fodder, and I do not know how much it was.

3914- It is narrated on the authority of Nafi' that he said: Abdullah Ibn Umar used to rent his land, and some news pertaining to that reached him from Rafi' Ibn Khadij, thereupon he took hold of my hand, and walked to Rafi' and I was in his company, and Rafi' told him from some of his paternal uncles that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land. Afterwards Abdullah abandoned that.

3915- It is narrated on the authority of Nafi' that he said: Abdullah Ibn Umar used to rent his land until Rafi' told him from some of his paternal uncles that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land. Afterwards Abdullah abandoned that.

3916- It is narrated on the authority of Nafi' that he said: Abdullah Ibn Umar used to rent his farms, until he was informed, during the last portion of Mu'awiyah's caliphate, that Rafi' Ibn Khadij related that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land. He went to him and I was in his company, and when he asked him, Rafi' told him that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the farms. Afterwards Abdullah abandoned that; and whenever he was asked about it, he used to say: Rafi' Ibn Khadij pretended that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land.

3917- It is narrated on the authority of Nafi' that he said: Abdullah Ibn Umar used to rent his farms, until he was informed that Rafi' Ibn Khadij related that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land. He went to him at Balat (a rocky ground in Medina) and I was in his company, and when he asked him, Rafi' said: "Yes, The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the farms." Afterwards Abdullah abandoned that.

3913 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا فُضَيْلٌ قَالَ: حَدَّثَنَا مُوسَى بْنُ عُقْبَةَ قَالَ: أَخْبَرَنِي نَافِعٌ أَنَّ رَافِعَ بْنَ خَدِيجٍ أَخْبَرَ عَبْدَ ٱللَّهِ بْنَ عُمَرَ: أَنَّ عُمُومَتَهُ جَاؤُوا إِلَى رَسُولِ ٱللَّهِ ﷺ ثُمَّ رَجَعُوا فَأَخْبَرُوا أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْ كِرَاءِ الْمَزَارِعِ فَقَالَ عَبْدُ ٱللَّهِ: قَدْ عَلِمْنَا أَنَّهُ كَانَ صَاحِبَ مَزْرَعَةٍ يُكْرِيهَا عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ عَلَى أَنَّ لَهُ مَا عَلَى الرَّبِيعِ السَّافِي الَّذِي يَتَفَجَّرُ مِنْهُ الْمَاءُ وَطَائِفَةٌ مِنَ التِّبْنِ لاَ أَدْرِي كَمْ هِيَ. رَوَاهُ ٱبْنُ عَوْنٍ عَنْ نَافِعٍ فَقَالَ عَنْ بَعْضِ عُمُومَتِهِ.

3914 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَزِيدُ قَالَ: أَنْبَأَنَا ٱبْنُ عَوْنٍ عَنْ نَافِعٍ: كَانَ ٱبْنُ عُمَرَ يَأْخُذُ كِرَاءَ الأَرْضِ فَبَلَغَهُ عَنْ رَافِعِ بْنِ خَدِيجٍ شَيْءٌ فَأَخَذَ بِيَدِي فَمَشَى إِلَى رَافِعٍ وَأَنَا مَعَهُ فَحَدَّثَهُ رَافِعٌ عَنْ بَعْضِ عُمُومَتِهِ أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْ كِرَاءِ الأَرْضِ فَتَرَكَ عَبْدُ ٱللَّهِ بَعْدُ.

3915 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا إِسْحَاقُ الأَزْرَقُ قَالَ: حَدَّثَنَا ٱبْنُ عَوْنٍ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: أَنَّهُ كَانَ يَأْخُذُ كِرَاءَ الأَرْضِ حَتَّى حَدَّثَهُ رَافِعٌ عَنْ بَعْضِ عُمُومَتِهِ أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْ كِرَاءِ الأَرْضِ فَتَرَكَهَا بَعْدُ. رَوَاهُ أَيُّوبُ عَنْ نَافِعٍ عَنْ رَافِعٍ وَلَمْ يَذْكُرْ عُمُومَتَهُ.

3916 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا أَيُّوبُ عَنْ نَافِعٍ: أَنَّ ٱبْنَ عُمَرَ كَانَ يُكْرِي مُزَارِعَهُ حَتَّى بَلَغَهُ فِي آخِرِ خِلاَفَةِ مُعَاوِيَةَ أَنَّ رَافِعَ بْنَ خَدِيجٍ يُخْبِرُ فِيهَا بِنَهْيِ رَسُولِ ٱللَّهِ ﷺ، فَأَتَاهُ وَأَنَا مَعَهُ فَسَأَلَهُ فَقَالَ: كَانَ رَسُولُ ٱللَّهِ ﷺ يَنْهَى عَنْ كِرَاءِ الْمَزَارِعِ فَتَرَكَهَا ٱبْنُ عُمَرَ بَعْدُ فَكَانَ إِذَا سُئِلَ عَنْهَا قَالَ: زَعَمَ رَافِعُ بْنُ خَدِيجٍ أَنَّ النَّبِيَّ ﷺ نَهَى عَنْهَا. وَافَقَهُ عُبَيْدُ ٱللَّهِ بْنُ عُمَرَ وَكَثِيرُ بْنُ فَرْقَدٍ وَجُوَيْرِيَةُ بْنُ أَسْمَاءَ.

3917 ـ أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ بْنِ أَعْيَنَ قَالَ: حَدَّثَنَا شُعَيْبُ بْنُ اللَّيْثِ عَنْ أَبِيهِ عَنْ كَثِيرِ بْنِ فَرْقَدٍ عَنْ نَافِعٍ: أَنَّ عَبْدَ ٱللَّهِ بْنَ عُمَرَ كَانَ يُكْرِي الْمَزَارِعَ فَحُدِّثَ أَنَّ رَافِعَ بْنَ خَدِيجٍ يَأْثُرُ عَنْ رَسُولِ ٱللَّهِ ﷺ أَنَّهُ نَهَى عَنْ ذٰلِكَ قَالَ نَافِعٌ: فَخَرَجَ إِلَيْهِ عَلَى الْبِلاَطِ وَأَنَا مَعَهُ فَسَأَلَهُ فَقَالَ: نَعَمْ نَهَى رَسُولُ ٱللَّهِ ﷺ عَنْ كِرَاءِ الْمَزَارِعِ فَتَرَكَ عَبْدُ ٱللَّهِ كِرَاءَهَا.

3918- It is narrated on the authority of Nafi' that a man told Ibn Umar that that Rafi' Ibn Khadij related a narration from The Messenger of Allah "Allah's blessing and peace be upon him" pertaining to renting the land. I set out with him and the man who told him about that, until he met Rafi (and when he asked him) Rafi' told him that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land. Afterwards Abdullah abandoned renting the land.

3919- It is narrated on the authority of Nafi' that Rafi' told Abdullah Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the farms.

3920- It is narrated on the authority of Nafi' that he said: Abdullah Ibn Umar used to rent his farms, in return for a portion of its yield, until he was informed that Rafi' Ibn Khadij forbade that, and said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land." He said: "We used to rent our land before even we knew Rafi'." But he found something suspicious within himself, thereupon he placed his hand on my shoulder (and walked) until we reached Rafi'. Abdullah asked him: "Did you hear that The Messenger of Allah "Allah's blessing and peace be upon him" having forbidden renting the land?" Rafi' said: "I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "Do not rent the land for anything (out of its yield)."

3921- It is narrated on the authority of Rafi' Ibn Khadij that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land.

3922- It is narrated on the authority of Ibn Umar that he said: We used to rent our land for a fixed amount of crops, and we saw no harm in that until Rafi' Ibn Khadij pretended that the Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land for a fixed amount of crops.

3923- It is narrated on the authority of Amr Ibn Dinar that he said: I was present when Ibn Umar was asked about renting the land for a fixed amount of crops, and he said: "We saw no harm in that until Rafi' Ibn Khadij told us last year that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having forbidden renting the land for a fixed amount of crops.

3924- It is narrated on the authority of Amr Ibn Dinar that he said: I heard Ibn Umar having said: " We saw no harm in renting the land for a fixed amount of crops, until when it was the last year, Rafi' Ibn Khadij pretended that the Messenger of Allah "Allah's blessing and peace be upon him" forbade it.

3918 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ وَهُوَ ٱبْنُ الْحَارِثِ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ عُمَرَ عَنْ نَافِعٍ: أَنَّ رَجُلاً أَخْبَرَ ٱبْنَ عُمَرَ أَنَّ رَافِعَ بْنَ خَدِيجٍ يَأْثُرُ فِي كِرَاءِ الأَرْضِ حَدِيثاً فَٱنْطَلَقْتُ مَعَهُ أَنَا وَالرَّجُلُ الَّذِي أَخْبَرَهُ حَتَّى أَتَى رَافِعاً فَأَخْبَرَهُ رَافِعٌ أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنْ كِرَاءِ الأَرْضِ فَتَرَكَ عَبْدُ ٱللَّهِ كِرَاءَ الأَرْضِ.

3919 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ الْمُقْرِىءُ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا جُوَيْرِيَةُ عَنْ نَافِعٍ أَنَّ رَافِعَ بْنَ خَدِيجٍ حَدَّثَ عَبْدَ ٱللَّهِ بْنَ عُمَرَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ «نَهَى عَنْ كِرَاءِ الْمَزَارِعِ».

3920 ـ أَخْبَرَنَا هِشَامُ بْنُ عَمَّارٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ حَمْزَةَ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ قَالَ: حَدَّثَنِي حَفْصُ بْنُ غِيَاثٍ عَنْ نَافِعٍ، أَنَّهُ حَدَّثَهُ قَالَ: كَانَ ٱبْنُ عُمَرَ يُكْرِي أَرْضَهُ بِبَعْضِ مَا يَخْرُجُ مِنْهَا فَبَلَغَهُ أَنَّ رَافِعَ بْنَ خَدِيجٍ يَزْجُرُ عَنْ ذٰلِكَ وَقَالَ: نَهَى رَسُولُ ٱللَّهِ ﷺ عَنْ ذٰلِكَ قَالَ: كُنَّا نُكْرِي الأَرْضَ قَبْلَ أَنْ نَعْرِفَ رَافِعاً ثُمَّ وَجَدَ فِي نَفْسِهِ فَوَضَعَ يَدَهُ عَلَى مَنْكِبِي حَتَّى دُفِعْنَا إِلَى رَافِعٍ فَقَالَ لَهُ عَبْدُ ٱللَّهِ: أَسَمِعْتَ النَّبِيَّ ﷺ نَهَى عَنْ كِرَاءِ الأَرْضِ؟ فَقَالَ رَافِعٌ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: **«لاَ تُكْرُوا الأَرْضَ بِشَيْءٍ»**.

3921 ـ أَخْبَرَنَا حُمَيْدُ بْنُ مَسْعَدَةَ عَنْ عَبْدِ الْوَهَّابِ قَالَ: حَدَّثَنَا هِشَامٌ عَنْ مُحَمَّدٍ وَنَافِعٍ أَخْبَرَاهُ عَنْ رَافِعِ بْنِ خَدِيجٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ «نَهَى عَنْ كِرَاءِ الأَرْضِ». رَوَاهُ ٱبْنُ عُمَرَ عَنْ رَافِعِ بْنِ خَدِيجٍ وَٱخْتُلِفَ عَلَى عَمْرِو بْنِ دِينَارٍ.

3922 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: أَنْبَأَنَا وَكِيعٌ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرِو بْنِ دِينَارٍ قَالَ: سَمِعْتُ ٱبْنَ عُمَرَ يَقُولُ: كُنَّا نُخَابِرُ وَلاَ نَرَى بِذٰلِكَ بَأْساً حَتَّى زَعَمَ رَافِعُ بْنُ خَدِيجٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ نَهَى عَنِ الْمُخَابَرَةِ.

3923 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا حَجَّاجٌ قَالَ: قَالَ ٱبْنُ جُرَيْجٍ: سَمِعْتُ عَمْرَو بْنَ دِينَارٍ يَقُولُ: أَشْهَدُ لَسَمِعْتُ ٱبْنَ عُمَرَ وَهُوَ يُسْأَلُ عَنِ الْخِبْرِ فَيَقُولُ مَا كُنَّا نَرَى بِذٰلِكَ بَأْساً حَتَّى أَخْبَرَنَا عَامَ الأَوَّلِ ٱبْنُ خَدِيجٍ أَنَّهُ سَمِعَ النَّبِيَّ ﷺ نَهَى عَنِ الْخِبْرِ وَافَقَهُمَا حَمَّادُ بْنُ زَيْدٍ.

3924 ـ أَخْبَرَنَا يَحْيَى بْنُ حَبِيبِ بْنِ عَرَبِيٍّ عَنْ حَمَّادِ بْنِ زَيْدٍ عَنْ عَمْرِو بْنِ دِينَارٍ قَالَ: سَمِعْتُ ٱبْنَ عُمَرَ يَقُولُ: كُنَّا لاَ نَرَى بِالْخِبْرِ بَأْساً حَتَّى كَانَ عَامَ الأَوَّلِ فَزَعَمَ رَافِعٌ أَنَّ نَبِيَّ ٱللَّهِ ﷺ نَهَى عَنْهُ.

3925- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land for a fixed amount of crops.

3926- It is narrated on the authority of Jabir that he said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade me to practice Mukhabarah (renting the land for a fixed amount of the crops), Muhaqalah (renting the field for a specific share of its yield), and Muzabanah (selling fresh fruits for dry fruits of the same kind with measure which leads to disputes among the people as being based upon dangers and mistakes).

3927- It is narrated on the authority of both Ibn Umar and Jabir: the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling the fruits until their benefit seems evident; and he also forbade Mukhabarah, i.e. to lent the land for one-third or one-fourth (its yield).

3928- It is narrated on the authority of Rafi' Ibn Khadij that the Messenger of Allah "Allah's blessing and peace be upon him" said to Rafi': "Do you rent your fields?" he said: "Yes O Messenger of Allah. We rent them in return for the yield produced at the banks of the water streams for the rental fee, as well as for (a definite amount of crops such as) Wasaqs of parley." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not do so. Cultivate them by yourselves, or lend them (to others to cultivate them), otherwise, keep them (uncultivated)."

3929- It is narrated on the authority of Rafi' Ibn Khadij that he said: My uncle Zuhair Ibn Rafi' came to me and said: "Allah's Apostle "Allah's blessing and peace be upon him" forbade us to do a thing which was a source of benefit to us." I said: "What is that?" he said: "Whatever Allah's Apostle "Allah's blessing and peace be upon him" says is right. Allah's Apostle "Allah's blessing and peace be upon him" asked me: "What do you do with your farms?" I replied: "O Messenger of Allah! We get our farms rented on the basis that we get the yield produced at the banks of the water streams for the rental fee, or rent them for some Wasaqs of dates or barley." Allah's Apostle "Allah's blessing and peace be upon him" said: "Do not do so, but cultivate them yourselves or let them be cultivated by others gratis, or keep them uncultivated."

3930- It is narrated on the authority of Usaid Ibn Rafi' Ibn Khadij that the brother of Rafi' said to his people: "Allah's Apostle "Allah's blessing and peace be upon him" forbade us to do a thing which was a source of benefit to us, even though his command should be followed, since there is good in it. He forbade renting the field in return for a specific share of its yield."

3925 ـ خَالَفَهُ عَارِمٌ فَقَالَ عَنْ حَمَّادٍ عَنْ عَمْرٍو عَنْ جَابِرٍ قَالَ: حَدَّثَنَا حَرَمِيُّ بْنُ يُونُسَ قَالَ: حَدَّثَنَا عَارِمٌ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ: أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ كِرَاءِ الأَرْضِ. تَابَعَهُ مُحَمَّدُ بْنُ مُسْلِمٍ الطَّائِفِيُّ.

3926 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ عَامِرٍ قَالَ: حَدَّثَنَا شُرَيْحٌ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ مُسْلِمٍ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ جَابِرٍ قَالَ: نَهَانِي رَسُولُ ٱللَّهِ ﷺ عَنِ الْمُخَابَرَةِ وَالْمُحَاقَلَةِ وَالْمُزَابَنَةِ». جَمَعَ سُفْيَانُ بْنُ عُيَيْنَةَ الْحَدِيثَيْنِ فَقَالَ عَنِ ٱبْنِ عُمَرَ وَجَابِرٍ.

3927 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا ٱبْنُ الْمِسْوَرِ قَالَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ عَمْرِو بْنِ دِينَارٍ عَنِ ٱبْنِ عُمَرَ وَجَابِرٍ: نَهَى رَسُولُ ٱللَّهِ ﷺ عَنْ بَيْعِ الثَّمَرِ حَتَّى يَبْدُوَ صَلاَحُهُ وَنَهَى عَنِ الْمُخَابَرَةِ كِرَاءَ الأَرْضِ بِالثُّلُثِ وَالرُّبُعِ. رَوَاهُ أَبُو النَّجَاشِيِّ عَطَاءُ بْنُ صُهَيْبٍ وَٱخْتُلِفَ عَلَيْهِ فِيهِ.

3928 ـ أَخْبَرَنَا أَبُو بَكْرٍ مُحَمَّدُ بْنُ إِسْمَاعِيلَ الطَّبَرَانِيُّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ يَحْيَى قَالَ: حَدَّثَنَا مُبَارَكُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي كَثِيرٍ قَالَ: حَدَّثَنِي أَبُو النَّجَاشِيِّ قَالَ: حَدَّثَنِي رَافِعُ بْنُ خَدِيجٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ لِرَافِعٍ: **«أَتُؤَاجِرُونَ مَحَاقِلَكُمْ»**؟ قُلْتُ: نَعَمْ يَا رَسُولَ ٱللَّهِ نُؤَاجِرُهَا عَلَى الرُّبُعِ وَعَلَى الأَوْسَاقِ مِنَ الشَّعِيرِ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ تَفْعَلُوا ٱزْرَعُوهَا أَوْ أَعِيرُوهَا أَوْ أَمْسِكُوهَا»** خَالَفَهُ الأَوْزَاعِيُّ فَقَالَ عَنْ رَافِعٍ عَنْ ظُهَيْرِ بْنِ رَافِعٍ.

3929 ـ أَخْبَرَنَا هِشَامُ بْنُ عَمَّارٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ حَمْزَةَ قَالَ: حَدَّثَنِي الأَوْزَاعِيُّ عَنْ أَبِي النَّجَاشِيِّ عَنْ رَافِعٍ قَالَ: أَتَانَا ظُهَيْرُ بْنُ رَافِعٍ فَقَالَ: نَهَانِي رَسُولُ ٱللَّهِ ﷺ عَنْ أَمْرٍ كَانَ لَنَا رَافِقاً قُلْتُ: وَمَا ذَاكَ؟ قَالَ: أَمْرُ رَسُولِ ٱللَّهِ ﷺ وَهُوَ حَقٌّ سَأَلَنِي كَيْفَ تَصْنَعُونَ فِي مَحَاقِلِكُمْ؟ قُلْتُ: نُؤَاجِرُهَا عَلَى الرُّبُعِ وَالأَوْسَاقِ مِنَ التَّمْرِ أَوِ الشَّعِيرِ قَالَ: **«فَلاَ تَفْعَلُوا ٱزْرَعُوهَا أَوْ أَزْرِعُوهَا أَوْ أَمْسِكُوهَا»** رَوَاهُ بُكَيْرُ بْنُ عَبْدِ ٱللَّهِ بْنِ الأَشَجِّ عَنْ أُسَيْدِ بْنِ رَافِعٍ فَجَعَلَ الرِّوَايَةَ لأَخِي رَافِعٍ.

3930 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: حَدَّثَنَا حِبَّانُ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ الْمُبَارَكِ عَنْ لَيْثٍ قَالَ: حَدَّثَنِي بُكَيْرُ بْنُ عَبْدِ ٱللَّهِ بْنِ الأَشَجِّ عَنْ أُسَيْدِ بْنِ رَافِعِ بْنِ خَدِيجٍ أَنَّ أَخَا رَافِعٍ قَالَ لِقَوْمِهِ: قَدْ نَهَى رَسُولُ ٱللَّهِ ﷺ الْيَوْمَ عَنْ شَيْءٍ كَانَ لَكُمْ رَافِقاً وَأَمْرُهُ طَاعَةٌ وَخَيْرٌ نَهَى عَنِ الْحَقْلِ.

3931- It is narrated on the authority of Usaid Ibn Rafi' Ibn Khadij that they were forbidden to do Muhaqalah, i.e. to rent a piece of land in return for a definite portion of its yield.

3932- It is narrated on the authority of Isa Ibn Sahl Ibn Rafi' Ibn Khadij that he said: I was an orphan under the guardianship of my grandfather Rafi' Ibn Khadij until I grew up and became a man, and I performed Hajj with him. My brother Imran Ibn Sahl Ibn Rafi' Ibn Khadij came to him and said: "O my father! We've given our land to such and such a lady on lease of one hundred Dirhams." He said: "O my son! Leave that and Allah Almighty will provide you with sustenance from other sources. the Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land (for a fixed amount of crops)."

3933- It is narrated on the authority of Zaid Ibn Thabit that he said: Allah might forgive for Rafi' Ibn Khadij! I, by Allah, have better knowledge of the narration than he. Two men fell in dispute (over the rented land), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "If this is your affair, then, do not rent the farms." Rafi' heard his statement 'Do not rent the farms'.

Abu Abd Ar-Rahman says:

This is a document of sharecropping on the condition that all the seeds and agricultural costs are due upon the landlord, and the farmer should have one-fourth the yield produced by Allah Almighty from the land:

"So and so, son of so and so, son of so and so, warrants that he has the authority and power to write this document, to so and so, son of so and so: 'You've given me the whole of your land in such and such a place, in such and such a city, by way of sharecropping; and it is the land known as such and such, and it is limited within four borders, one of which is neighbouring such and such a place, and so are the second, the third, and the fourth: you've given me the whole of your land limited herein by its borders, which are surrounding it, with all its rights, sources of water, rivers, and agricultural equipment, as a white empty ground, in which there are no sowed plants, for a whole year, beginning from the first day of such and such a month, of such and such a year, and ending at the end of such and such a month of such and such a year, on the condition that I should cultivate the whole of this land limited herein, whose very location is described hereof, for this year temporarily, from its beginning to its ending, whenever I like and whatever it seems to me to cultivate in it such crops as wheat, parley, beans, sesame, rice, cotton, fruits, grains, lentil, snake-cucumber, watermelon, carrot, onion,

3931 ـ أَخْبَرَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا شُعَيْبُ بْنُ اللَّيْثِ عَنِ اللَّيْثِ عَنْ حَفْصِ بْنِ رَبِيعَةَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ هُرْمُزَ قَالَ: سَمِعْتُ أُسَيْدَ بْنَ رَافِعِ بْنِ خَدِيجٍ الأَنْصَارِيَّ يَذْكُرُ أَنَّهُمْ مَنَعُوا الْمُحَاقَلَةَ وَهِيَ أَرْضٌ تُزْرَعُ عَلَى بَعْضِ مَا فِيهَا. رَوَاهُ عِيسَى بْنُ سَهْلِ بْنِ رَافِعٍ.

3932 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمٍ قَالَ: أَنْبَأَنَا حِبَّانُ قَالَ: أَنْبَأَنَا عَبْدُ اللَّهِ عَنْ سَعِيدِ بْنِ يَزِيدَ أَبِي شُجَاعٍ قَالَ: حَدَّثَنِي عِيسَى بْنُ سَهْلِ بْنِ رَافِعِ بْنِ خَدِيجٍ قَالَ: إِنِّي لَيَتِيمٌ فِي حَجْرِ جَدِّي رَافِعِ بْنِ خَدِيجٍ وَبَلَغْتُ رَجُلاً وَحَجَجْتُ مَعَهُ فَجَاءَ أَخِي عِمْرَانُ بْنُ سَهْلِ بْنِ رَافِعِ بْنِ خَدِيجٍ فَقَالَ: يَا أَبَتَاهُ إِنَّهُ قَدْ أَكْرَيْنَا أَرْضَنَا فُلاَنَةَ بِمِائَتَيْ دِرْهَمٍ فَقَالَ: يَا بُنَيَّ دَعْ ذَاكَ فَإِنَّ اللَّهَ عَزَّ وَجَلَّ سَيَجْعَلُ لَكُمْ رِزْقاً غَيْرَهُ إِنَّ رَسُولَ اللَّهِ ﷺ قَدْ نَهَى عَنْ كِرَاءِ الأَرْضِ.

3933 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ مُحَمَّدٍ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ إِسْحَاقَ عَنْ أَبِي عُبَيْدَةَ بْنِ مُحَمَّدٍ عَنِ الْوَلِيدِ بْنِ أَبِي الْوَلِيدِ عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ قَالَ: قَالَ زَيْدُ بْنُ ثَابِتٍ: يَغْفِرُ اللَّهُ لِرَافِعِ بْنِ خَدِيجٍ أَنَا وَاللَّهُ أَعْلَمُ بِالْحَدِيثِ مِنْهُ إِنَّمَا كَانَا رَجُلَيْنِ اقْتَتَلاَ فَقَالَ رَسُولُ اللَّهِ ﷺ: **«إِنْ كَانَ هٰذَا شَأْنُكُمْ فَلاَ تُكْرُوا الْمَزَارِعَ»**. فَسَمِعَ قَوْلَهُ **«لاَ تُكْرُوا الْمَزَارِعَ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: «كِتَابَةُ مُزَارَعَةٍ عَلَى أَنَّ الْبَذْرَ وَالنَّفَقَةَ عَلَى صَاحِبِ الأَرْضِ، وَلِلْمُزَارِعِ رُبُعُ مَا يُخْرِجُ اللَّهُ عَزَّ وَجَلَّ مِنْهَا: «هٰذَا كِتَابٌ كَتَبَهُ فُلاَنُ ابْنُ فُلاَنِ ابْنِ فُلاَنٍ فِي صِحَّةٍ مِنْهُ وَجَوَازُ أَمْرٍ لِفُلاَنِ ابْنِ فُلاَنٍ، إِنَّكَ دَفَعْتَ إِلَيَّ جَمِيعَ أَرْضِكَ الَّتِي بِمَوْضِعِ كَذَا فِي مَدِينَةِ كَذَا مُزَارَعَةً، وَهِيَ الأَرْضُ الَّتِي تُعْرَفُ بِكَذَا وَتَجْمَعُهَا حُدُودٌ أَرْبَعَةٌ يُحِيطُ بِهَا كُلُّهَا وَأَحَدُ تِلْكَ الْحُدُودِ بِأَسْرِهِ لَزِيقُ كَذَا، وَالثَّانِي وَالثَّالِثُ وَالرَّابِعُ دَفَعْتَ إِلَيَّ جَمِيعَ أَرْضِكَ هٰذِهِ الْمَحْدُودَةِ فِي هٰذَا الْكِتَابِ بِحُدُودِهَا الْمُحِيطَةِ بِهَا، وَجَمِيعَ حُقُوقِهَا وَشِرْبِهَا وَأَنْهَارِهَا وَسَوَاقِيهَا أَرْضاً بَيْضَاءَ فَارِغَةً لاَ شَيْءَ فِيهَا مِنْ غَرْسٍ وَلاَ زَرْعٍ سَنَةً تَامَّةً، أَوَّلُهَا مُسْتَهَلُّ شَهْرِ كَذَا مِنْ سَنَةِ كَذَا، وَآخِرُهَا انْسِلاَخُ شَهْرِ كَذَا مِنْ سَنَةِ كَذَا، عَلَى أَنْ أَزْرَعَ جَمِيعَ هٰذِهِ الأَرْضِ الْمَحْدُودَةِ فِي هٰذَا الْكِتَابِ الْمَوْصُوفُ مَوْضِعُهَا فِيهِ هٰذِهِ السَّنَةَ الْمُؤَقَّتَةَ فِيهَا مِنْ أَوَّلِهَا إِلَى آخِرِهَا كُلَّ مَا أَرَدْتُ، وَبَدَا لِي أَنْ أَزْرَعَ فِيهَا مِنْ حِنْطَةٍ، وَشَعِيرٍ، وَسَمَاسِمَ، وَأُرْزٍ، وَأَقْطَانٍ، وَرِطَابٍ، وَبَاقَلاً، وَحِمَّصٍ، وَلُوبِيَا، وَعَدَسٍ، وَمَقَاثِي، وَمَبَاطِيخَ، وَجَزَرٍ، وَشَلْجَمٍ، وَفِجْلٍ

garlic, basil, etc , from all kinds of crops, during winter and summer; and all of that would be with your seeds and plants, and the related costs are due upon you and not me, on the condition that I should look after all of that with my own hand, and with such of my assistants, hirelings, cows and agricultural equipment as I like, and I should undertake the process of cultivating and constructing the land as possible as it is most convenient and beneficial to it, leveling the ground, removing the grass, watering what is in need to be watered, fertilizing what is in need of fertilizers, digging the canals and brooks, plucking the fruits and harvesting the yield, gathering and keeping what is in need of being gathered and kept, provided that all of that should be done on your expense, with my own hand and the hands of my assistants, on the condition that you should have three-fourths what is produced by Allah Almighty out of that, during this term aforementioned herein, from its beginning to its ending, on the basis of the fact that it is your land, with its sources of water, plants, and all agricultural costs, and I should have the remaining one-fourth of all of that, on the basis of my work in the process of cultivation and looking after it with myself and through my assistants. I acknowledge that you've given me this land limited herein with all of its rights and facilities, and I've received all of that on such and such a day, in such and such a month, in such and such a year, with the result that all of that has come to be under my control, even though I have no claim of ownership, nor do I have any demand but for such sharecropping as described herein, during that year appointed hereof; and when this term finishes, all of that should be brought back to you, and you should have then the right to drive me out of it and take it back from my hand as well as from anyone happened to have a hand there subsequently because of me, after the termination of that year.' This document is signed in two copies by so and so, (party one) and so and so (party two)."

[46] The Different Wording Pertaining To Sharecropping

3934- It is narrated on the authority of Ibn Awn that he said: Muhammad used to say: "In my thought, the land (as far as sharecropping is concerned) is just like the property of speculation, and what is fitting for such property of speculation is also fitting for the land, and what is not fitting for the former is also not fitting for the latter." On the other hand, he saw no harm to give the land to a farmer, on the condition that he would work in it with his own hand, and through his offspring and assistants, and cows, spending nothing on it, since the agricultural costs would be due upon the landlord.

3935- It is narrated on the authority of Ibn Umar that Allah's Apostle "Allah's blessing and peace be upon him" gave the date-palms of Khaibar to

وَبَصَلٍ، وَثُومٍ، وَبُقُولٍ، وَرَيَاحِينَ وَغَيْرِ ذٰلِكَ مِنْ جَمِيعِ الْغَلاَّتِ شَتَاءً وَصَيْفاً بِبُزُورِكَ وَبَذْرِكَ وَجَمِيعُهُ عَلَيْكَ دُونِي عَلَى أَنْ أَتَوَلَّى ذٰلِكَ بِيَدِي وَبِمَنْ أَرَدْتُ مِنْ أَعْوَانِي وَأُجَرَائِي وَبَقَرِي وَأَدَوَاتِي، وَإِلَى زِرَاعَةِ ذٰلِكَ وَعِمَارَتِهِ وَالعَمَلِ بِمَا فِيهِ نَمَاؤُهُ وَمَصْلَحَتُهُ وَكِرَابُ أَرْضِهِ وَتَنْقِيَةُ حَشِيشِهَا وَسَقْيِ مَا يُحْتَاجُ إِلَى سَقْيِهِ مِمَّا زُرِعَ، وَتَسْمِيدِ مَا يُحْتَاجُ إِلَى تَسْمِيدِهِ وَحَفْرِ سَوَاقِيهِ وَأَنْهَارِهِ وَاجْتِنَاءِ مَا يُجْتَنَى مِنْهُ، وَالْقِيَامِ بِحَصَادِ مَا يُحْصَدُ مِنْهُ وَجَمْعِهِ وَدِيَاسَةِ مَا يُدَاسُ مِنْهُ وَتَذْرِيَتِهِ بِنَفَقَتِكَ عَلَى ذٰلِكَ كُلِّهِ دُونِي، وَأَعْمَلَ فِيهِ كُلِّهِ بِيَدِي وَأَعْوَانِي دُونَكَ عَلَى أَنَّ لَكَ مِنْ جَمِيعِ مَا يُخْرِجُ ٱللَّهُ عَزَّ وَجَلَّ مِن ذٰلِكَ كُلِّهِ فِي هٰذِهِ المدَّةِ المَوْصُوفَةِ فِي هٰذَا الْكِتَابِ مِنْ أَوَّلِهَا إِلَى آخِرِهَا، فَلَكَ ثَلاَثَةُ أَرْبَاعِهِ بِحَظِّ أَرْضِكَ وَشِرْبِكَ وَبَذْرِكَ وَنَفَقَاتِكَ، وَلِيَ الرُّبُعُ الْبَاقِي مِن جَمِيعِ ذٰلِكَ بِزِرَاعَتِي وَعَمَلِي وَقِيَامِي عَلَى ذٰلِكَ بِيَدِي وَأَعْوَانِي، وَدَفَعْتَ إِلَيَّ جَمِيعَ أَرْضِكَ هٰذِهِ الْمَحْدُودَةِ فِي هٰذَا الكِتَابِ بِجَمِيعِ حُقُوقِهَا وَمَرَافِقِهَا وَقَبَضْتُ ذٰلِكَ كُلَّهُ مِنْكَ يَوْمَ كَذَا مِنْ شَهْرِ كَذَا مِنْ سَنَةِ كَذَا، فَصَارَ جَمِيعُ ذٰلِكَ فِي يَدِي لَكَ لاَ مِلْكَ لِي فِي شَيْءٍ مِنْهُ، وَلاَ دَعْوَى وَلاَ طَلِبَةَ إِلاَّ هٰذِهِ الْمُزَارَعَةَ الْمَوْصُوفَةَ فِي هٰذَا الكِتَابِ فِي هٰذِهِ السَّنَةِ الْمُسَمَّاةِ فِيهِ، فإِذَا انْقَضَتْ فَذٰلِكَ كُلُّهُ مَرْدُودٌ إِلَيْكَ وَإِلَى يَدِكَ، وَلَكَ أَنْ تُخْرِجَنِي بَعْدَ انْقِضَائِهَا مِنْها وَتُخْرِجَهَا مِنْ يَدِي وَيَدِ كُلِّ مَنْ صَارَتْ لَهُ فِيهَا يَدٌ بِسَبَبِي، أَقَرَّ فُلانٌ وَفُلانٌ وَكُتِبَ هٰذَا الْكِتَابُ نُسْخَتَيْنِ».

(46) ـ ذِكْرُ اخْتِلافِ الأَلْفَاظِ المَأْثُورَةِ فِي المُزَارَعَةِ

3934 ـ أَخْبَرَنَا عَمْرُو بْنُ زُرَارَةَ قَالَ: أَنْبَأَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنَا ٱبْنُ عَوْنٍ قَالَ: كَانَ مُحَمَّدٌ يَقُولُ: الأَرْضُ عِنْدِي مِثْلُ مَالِ المُضَارَبَةِ فَمَا صَلُحَ فِي مَالِ الْمُضَارَبَةِ صَلُحَ فِي الأَرْضِ وَمَا لَمْ يَصْلُحْ فِي مَالِ المُضَارَبَةِ لَمْ يَصْلُحْ فِي الأَرْضِ قَالَ: وَكَانَ لاَ يَرَى بَأْساً أَنْ يَدْفَعَ أَرْضَهُ إِلَى الأَكَّارِ عَلَى أَنْ يَعْمَلَ فِيهَا بِنَفْسِهِ وَوَلَدِهِ وَأَعْوَانِهِ وَبَقَرِهِ وَلاَ يُنْفِقَ شَيْئاً وَتَكُونَ النَّفَقَةُ كُلُّهَا مِن رَبِّ الأَرْضِ.

3935 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ رَضِيَ ٱللَّهُ عَنْهُمَا: أَنَّ النَّبِيَّ ﷺ دَفَعَ إِلَى يَهُودِ خَيْبَرَ نَخْلَ خَيْبَرَ وَأَرْضَهَا

the Jews of Khaibar to look after them on their expense, on the condition that Allah's Apostle "Allah's blessing and peace be upon him" (and the Muslims) should have half the yield.

3936- It is narrated on the authority of Ibn Umar that Allah's Apostle "Allah's blessing and peace be upon him" gave the date-palms and the land of Khaibar to the Jews of Khaibar to look after them on their expense, on the condition that Allah's Apostle "Allah's blessing and peace be upon him" (and the Muslims) should have half the fruits.

3937- It is narrated on the authority of Abdullah Ibn Umar that he said: During the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", the farms used to be rented on the condition that the landlord should have what would grow on the bank of the spring, from which the water would gush forth, in addition to a definite amount of fodder, and I do not know how much it was.

3938- It is narrated on the authority of Abd Ar-Rahman Ibn Al-Aswad that he said: Both my paternal uncles used to cultivate the land in return for one-third or one-fourth (the yield), and my father was their partner, and although both Alqamah and Al-Aswad knew that, they made no change in it.

3939- It is narrated on the authority of Ibn Abbas that he said: "The best thing you are to do (as far as sharecropping is concerned) is that anyone of you should rent his land in return for gold and silver (i.e. money)."

3940- It is narrated on the authority of both Ibrahim and Sa'id Ibn Jubair that they saw no harm in renting the white land (to cultivate for money).

3941- It is narrated on the authority of Muhammad that he said: I do not know but that Shuraih passed two judgements concerning a speculator: sometimes, he said to him: "Bring about an evidence that a calamity has befallen you, therewith you might be excused." Sometimes he said to the property owner: "Bring about an evidence that your agent is treacherous, otherwise, let him take an oath by Allah that he has not betrayed you."

3942- It is narrated on the authority of Sa'id Ibn Al-Musayyab that he said: There is no harm in renting the white land for gold and silver. He further said: If one gives money to another for the purpose of speculation and wants to write a document on that, he should write as follows: "This is a document written by so and so, son of so and so, out of his own accord, with the warranty of authority and power to do so, in favour of so and so, son of so and so: 'You've given me, in the beginning of such and such a month, in such and such a year, say, ten thousand Dirhams, in a state of soundness, each weighing seven weights, by way of speculation on the basis of Allah's

عَلَى أَنْ يَعْمَلُوهَا مِنْ أَمْوَالِهِمْ وَأَنَّ لِرَسُولِ ٱللَّهِ ﷺ شَطْرَ مَا يَخْرُجُ مِنْهَا.

3936 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ اللَّهِ بْنِ الْحَكَمِ قَالَ: حَدَّثَنَا شُعَيْبُ بْنُ اللَّيْثِ قَالَ: حَدَّثَنَا أَبِي عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ: أَنَّ النَّبِيَّ ﷺ دَفَعَ إِلَى يَهُودِ خَيْبَرَ نَخْلَ خَيْبَرَ وَأَرْضَهَا عَلَى أَنْ يَعْمَلُوهَا بِأَمْوَالِهِمْ وَأَنَّ لِرَسُولِ ٱللَّهِ ﷺ شَطْرَ ثَمَرَتِهَا.

3937 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ قَالَ: حَدَّثَنَا شُعَيْبُ ابْنُ اللَّيْثِ عَنْ أَبِيهِ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ نَافِعٍ: أَنَّ عَبْدَ ٱللَّهِ بْنَ عُمَرَ كَانَ يَقُولُ: كَانَتِ الْمَزَارِعُ تُكْرَى عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ عَلَى أَنَّ لِرَبِّ الأَرْضِ مَا عَلَى رَبِيعِ السَّاقِي مِنَ الزَّرْعِ وَطَائِفَةٌ مِنَ التِّبْنِ لاَ أَدْرِي كَمْ هُوَ.

3938 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا شَرِيكٌ عَنْ أَبِي إِسْحَاقَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الأَسْوَدِ قَالَ: كَانَ عَمَّايَ يَزْرَعَانِ بِالثُّلُثِ وَالرُّبُعِ وَأَبِي شَرِيكَهُمَا وَعَلْقَمَةُ وَالأَسْوَدُ يَعْلَمَانِ فَلاَ يُغَيِّرَانِ.

3939 ـ حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا الْمُعْتَمِرُ قَالَ: سَمِعْتُ مَعْمَراً عَنْ عَبْدِ الْكَرِيمِ الْجَزَرِيِّ قَالَ: قَالَ سَعِيدُ بْنُ جُبَيْرٍ قَالَ ٱبْنُ عَبَّاسٍ: «إِنَّ خَيْرَ مَا أَنْتُمْ صَانِعُونَ أَنْ يُؤَاجِرَ أَحَدُكُمْ أَرْضَهُ بِالذَّهَبِ وَالْوَرِقِ».

3940 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مَنْصُورٍ عَنْ إِبْرَاهِيمَ وَسَعِيدِ بْنِ جُبَيْرٍ: أَنَّهُمَا كَانَا لاَ يَرَيَانِ بَأْساً بِاسْتِئْجَارِ الأَرْضِ الْبَيْضَاءِ.

3941 ـ أَخْبَرَنَا عَمْرُو بْنُ زُرَارَةَ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ عَنْ أَيُّوبَ عَنْ مُحَمَّدٍ قَالَ: لَمْ أَعْلَمْ شُرَيْحاً كَانَ يَقْضِي فِي الْمُضَارِبِ إِلاَّ بِقَضَاءَيْنِ كَانَ رُبَّمَا قَالَ لِلْمُضَارِبِ: بَيِّنَتَكَ عَلَى مُصِيبَةٍ تُعْذَرُ بِهَا وَرُبَّمَا قَالَ لِصَاحِبِ الْمَالِ: بَيِّنَتَكَ أَنَّ أَمِينَكَ خَائِنٌ وَإِلاَّ فَيَمِينُهُ بِاللَّهِ مَا خَانَكَ.

3942 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا شَرِيكٌ عَنْ طَارِقٍ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ قَالَ: لاَ بَأْسَ بِإِجَارَةِ الأَرْضِ الْبَيْضَاءِ بِالذَّهَبِ وَالْفِضَّةِ وَقَالَ: إِذَا دَفَعَ رَجُلٌ إِلَى رَجُلٍ مَالاً قِرَاضاً فَأَرَادَ أَنْ يَكْتُبَ عَلَيْهِ بِذٰلِكَ كِتَاباً كَتَبَ: هٰذَا كِتَابٌ كَتَبَهُ فُلاَنُ بْنُ فُلاَنٍ طَوْعاً مِنْهُ فِي صِحَّةٍ مِنْهُ وَجَوَازَ أَمْرِهِ لِفُلاَنِ بْنِ فُلاَنٍ أَنَّكَ دَفَعْتَ إِلَيَّ مُسْتَهَلَّ شَهْرِ كَذَا مِنْ سَنَةِ كَذَا عَشَرَةَ آلاَفِ دِرْهَمٍ وُضْحاً جِيَاداً وَزْنَ سَبْعَةٍ قِرَاضاً عَلَى تَقْوَى ٱللَّهِ

fearingness in secrecy and public, and bringing back the trust, on the condition that I should buy with them whenever and whatever seems to me to purchase, and to direct them in whichever way I like to do with them, on different kinds of goods, and to set out wherever I like having from them whatever I like, and to sell whatever seems to me to sell from what I purchase with them, whether by cash money (on the spot) or on credit, whether by way of showing that (to the purchasers) or suggesting to them to purchase, provided that I should work in all of that depending upon my own opinion, and appoint such of agents as I see proper: and whatever surplus and profit beyond the capital you've given to me, described and referred to herein, is gained out of that by virtue of Allah Almighty, is to be divided into two halves between you and me: yours on the basis of the portion of your capital, and mine on the basis of my own work in it, and any loss should be reduced from the capital. I acknowledge that I've received those ten thousand Dirhams, in the state of soundness, in the beginning of such and such a month, in such and such a year, and thus they've become under my control for the purpose of speculation, according to the conditions stipulated herein'. This document is signed by so and so (party one) and so and so (party two)." But if he wants to detain him from entering into transactions on credit, he should add: "And you've forbidden me to enter into transactions on credit."

[*] A Solidarity Company Between Three Parties:

So and so, so and so, and so and so, warrant that they have the full authority and power to enter into this company,, i.e. a solidarity, and not a delegation, company, with a capital of thirty thousand Dirhams, in the state of soundness, each weighing seven weights ten thousand Dirhams for each of them, which have been made into a mixture, in the sense that such mixture of thirty thousand Dirhams has become in their hands, under a company of three portions, on the condition that they all should work in it by Allah's fearingness, and out of faith of bringing back the trust from the part of each one of them to the other. According to that (agreement), they all have the right to purchase whatever they see proper to purchase, whether by cash money or on credit, from all kinds of goods, and each one of them has the right to purchase solely whatever he sees proper to purchase, whether by cash money or on credit, from all kinds of goods; and they all should work in that whether collectively as it seems more fitting to them or each solely, as it seems more fitting to him, with the permission and authority from his two companions, and his act should be acceptable to each of his partners, whether they work collectively or each solely; and what is pursuant to each of them, in more or less, should be necessarily pursuant to all of them; and whatever profit and surplus beyond the capital defined herein is produced by

فِي السِّرِّ وَالْعَلاَنِيَةِ وَأَدَاءِ الأَمَانَةِ عَلَى أَنْ أَشْتَرِيَ بِهَا مَا شِئْتُ مِنْها كُلَّ مَا أَرَى أَنْ أَشْتَرِيَهُ وَأَنْ أُصَرِّفَهَا وَمَا شِئْتُ مِنْهَا فِيمَا أَرَى أَنْ أُصَرِّفَهَا فِيهِ مِنْ صُنُوفِ التِّجَارَاتِ وَأَخْرُجَ بِمَا شِئْتُ مِنْها حَيْثُ شِئْتُ وَأَبِيعَ مَا أَرَى أَنْ أَبِيعَهُ مِمَّا أَشْتَرِيهِ بِنَقْدٍ رَأَيْتُ أَمْ بِنَسِيئَةٍ وَبِعَيْنٍ رَأَيْتُ أَمْ بِعَرْضٍ عَلَى أَنْ أَعْمَلَ فِي جَمِيعِ ذٰلِكَ كُلِّهِ بِرَأْيِي وَأُوَكِّلَ فِي ذٰلِكَ مَنْ رَأَيْتُ وَكُلُّ مَا رَزَقَ ٱللَّهُ فِي ذٰلِكَ مِنْ فَضْلٍ وَرِبْحٍ بَعْدَ رَأْسِ الْمَالِ الَّذِي دَفَعْتَهُ الْمَذْكُورِ إِلَيَّ الْمُسَمَّى مَبْلَغُهُ فِي هٰذَا الْكِتَابِ فَهُوَ بَيْنِي وَبَيْنَكَ نِصْفَيْنِ لَكَ مِنْهُ النِّصْفُ بِحَظِّ رَأْسِ مَالِكَ وَلِيَ فِيهِ النِّصْفُ تَامًّا بِعَمَلِي فِيهِ وَمَا كَانَ فِيهِ مِنْ وَضِيعَةٍ فَعَلَى رَأْسِ الْمَالِ فَقَبَضْتُ مِنْكَ هٰذِهِ الْعَشَرَةَ آلاَفِ دِرْهَمٍ الْوُضَحَ الْجِيَادَ مُسْتَهَلَّ شَهْرِ كَذَا فِي سَنَةِ كَذَا وَصَارَتْ لَكَ فِي يَدِي قِرَاضاً عَلَى الشُّرُوطِ الْمُشْتَرَطَةِ فِي هٰذَا الْكِتَابِ أَقَرَّ فُلاَنٌ وَفُلاَنٌ وَإِذَا أَرَادَ أَنْ يُطْلِقَ لَهُ أَنْ يَشْتَرِيَ وَيَبِيعَ بِالنَّسِيئَةِ كَتَبَ وَقَدْ نَهَيْتَنِي أَنْ أَشْتَرِيَ وَأَبِيعَ بِالنَّسِيئَةِ.

شَرِكَةُ عِنَانٍ بين ثَلاثَةٍ

هٰذَا مَا ٱشْتَرَكَ عَلَيْهِ فُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ فِي صِحَّةِ عُقُولِهِمْ وَجَوَازِ أَمْرِهِمْ، اشْتَرَكُوا شَرِكَةَ عَنَانٍ لاَ شَرِكَةَ مُفَاوَضَةٍ بَيْنَهُمْ فِي ثَلاَثِينَ أَلْفَ دِرْهَمٍ وُضْحاً، جِيَاداً وَزْنَ سَبْعَةٍ، لِكُلِّ وَاحِدٍ مِنْهُمْ عَشَرَةُ آلاَفِ دِرْهَمٍ خَلَطُوهَا جَمِيعاً فَصَارَتْ هٰذِهِ الثَّلاَثِينَ أَلْفَ دِرْهَمٍ فِي أَيْدِيهِمْ مَخْلُوطَةً بِشَرِكَةٍ بَيْنَهُمْ أَثْلاَثاً عَلَى أَنْ يَعْمَلُوا فِيهِ بِتَقْوَى ٱللَّهِ وَأَدَاءِ الأَمَانَةِ مِنْ كُلِّ وَاحِدٍ مِنْهُمْ إِلَى كُلِّ وَاحِدٍ مِنْهُمْ وَيَشْتَرُونَ جَمِيعاً بِذٰلِكَ وَبِمَا رَأَوْا مِنْهُ اشْتِرَاءَهُ بِالنَّقْدِ، وَيَشْتَرُونَ بِالنَّسِيئَةِ عَلَيْهِ مَا رَأَوْا أَنْ يَشْتَرُوا مِنْ أَنْوَاعِ التِّجَارَاتِ وَأَنْ يَشْتَرِيَ كُلُّ وَاحِدٍ مِنْهُمْ عَلَى حِدَتِهِ دُونَ صَاحِبِهِ بِذٰلِكَ، وبِمَا رَأَى مِنْهُ مَا رَأَى اشْتِرَاءَهُ مِنْهُ بِالنَّقْدِ، وَبِمَا رَأَى اشْتِرَاءَهُ عَلَيْهِ بِالنَّسِيئَةِ يَعْمَلُونَ فِي ذٰلِكَ كُلِّهِ مُجْتَمِعِينَ بِمَا رَأَوْا، وَيَعْمَلُ كُلُّ وَاحِدٍ مِنْهُمْ مُنْفَرِداً بِهِ دُونَ صَاحِبِهِ بِمَا رَأَى جَائِزاً لِكُلِّ وَاحِدٍ مِنْهُمْ فِي ذٰلِكَ كُلِّهِ عَلَى نَفْسِهِ، وَعَلَى كُلِّ وَاحِدٍ مِنْ صَاحِبَيْهِ فِيمَا اجْتَمَعُوا عَلَيْهِ، وَفِيمَا ٱنْفَرَدُوا بِهِ مِنْ ذٰلِكَ كُلُّ وَاحِدٍ مِنْهُمْ دُونَ الآخَرَيْنِ، فَمَا لَزِمَ كُلَّ وَاحِدٍ مِنْهُمْ فِي ذٰلِكَ مِنْ قَلِيلٍ وَمِنْ كَثِيرٍ فَهُوَ لاَزِمٌ لِكُلِّ وَاحِدٍ مِنْ صَاحِبَيْهِ، وَهُوَ وَاجِبٌ عَلَيْهِمْ جَمِيعاً وَمَا رَزَقَ ٱللَّهُ فِي ذٰلِكَ مِنْ فَضْلٍ وَرِبْحٍ عَلَى رَأْسِ مَالِهِمُ الْمُسَمَّى مَبْلَغُهُ

virtue of Allah Almighty, should be divided into three thirds among them; and any loss should be encumbered upon them in three thirds in accordance with their portions (in the company). This document is written in three copies, each in the hand of everyone of them: so and so, so and so, and so and so as his official document (to guarantee his right in that company); and it is signed by so and so, so and so, and so and so."

[*] A Delegation Company Between Four Parties:

"Allah Almighty says: " O you who believe! Fulfill (all) obligations." (Al-Ma'idah 1) so and so, so and so, so and so, and so and so, warrant that they have the full authority and power to enter into this company, a delegation company with such and such a capital, which they collected from one kind of money, and mixed in the sense that it has come to be a mixture whose portions are undistinguishable in their hands, and all of them are equal in their portions and rights, on the condition that they all should equally work in all of that, in more or less transactions and trades, whether by cash money or on credit, in all dealings and commercial treatments, and in all that which is exchangeable among the people, whether collectively as it seems more fitting for them or each solely as it seems more fitting for him, with the permission and authority to do so from his partners, and his act should be acceptable to his partners; and what is pursuant to each of them, in relation to an acquired right, debt, in this company defined herein, should be necessarily pursuant to all of his partners referred to herein with him; and whatever profits and surplus (beyond the capital) Allah Almighty causes them to gain in that company referred to herein, and whatever profits and surplus (beyond the capital) Allah Almighty causes each of them to gain solely, should be equally divided between them; and any loss should be equally loaded upon them all. Furthermore, each of those (parties), so and so, so and so, so and so, and so and so, has delegated each one of his partners referred to in this document, as his agent in all demands and claims of his rights, to appeal, on behalf of him, to judgement in all related disputes, to receive such a right, to send to the court anyone falling in dispute with him, or having claim over him; and he also has made him a trustee of his portion in the company after his death, to fulfill his debt on his behalf, and to execute his bequests; and each one of the parties pointed out herein has accepted what has been entrusted to him by each of his companions. This document is signed by so and so, so and so, so and so, and so and so."

[47] The Company Of Bodies

3943- It is narrated on the authority of Abdullah that he said: I, Ammar and Sa'd entered into a partnership on the day of (the holy battle of) Badr

فِي هٰذَا الْكِتَابِ، فَهُوَ بَيْنَهُمْ أَثْلاَثاً وَمَا كَانَ فِي ذٰلِكَ مِنْ وَضِيعَةٍ وَتَبِعَةٍ فَهُوَ عَلَيْهِمْ أَثْلاَثاً عَلَى قَدْرِ رَأْسِ مَالِهِمْ، وَقَدْ كُتِبَ هٰذَا الكِتَابُ ثَلاَثَ نُسَخٍ مُتَسَاوِيَاتٍ بِأَلْفَاظٍ وَاحِدَةٍ فِي يَدِ كُلِّ وَاحِدٍ مِنْ فُلاَنٍ وَفُلاَنٍ وَفُلاَنٍ وَاحِدَةٌ وَثِيقَةً لَهُ أَقَرَّ فُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ.

شَرِكَةُ مُفَاوَضَةٍ بين أَرْبَعَةٍ على مَذْهَبِ من يُجِيزُها

قَالَ ٱللَّهُ تَبَارَكَ وَتَعَالَى: ﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ أَوۡفُواْ بِٱلۡعُقُودِۚ﴾ [المائدة: 1] هٰذَا مَا ٱشْتَرَكَ عَلَيْهِ فُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ بَيْنَهُمْ شَرِكَةَ مُفَاوَضَةٍ فِي رَأْسِ مَالٍ جَمَعُوهُ بَيْنَهُمْ مِنْ صِنْفٍ وَاحِدٍ وَنَقْدٍ وَاحِدٍ وَخَلَطُوهُ وَصَارَ فِي أَيْدِيهِمْ مُمْتَزِجاً لاَ يُعْرَفُ بَعْضُهُ مِنْ بَعْضٍ وَمَالُ كُلِّ وَاحِدٍ مِنْهُمْ فِي ذٰلِكَ وَحَقُّهُ سَوَاءٌ عَلَى أَنْ يَعْمَلُوا فِي ذٰلِكَ كُلِّهِ وَفِي كُلِّ قَلِيلٍ وَكَثِيرٍ سَوَاءٌ مِنَ الْمُبَايَعَاتِ وَالْمُتَاجَرَاتِ نَقْداً وَنَسِيئَةً بَيْعاً وَشِرَاءً فِي جَمِيعِ الْمُعَامَلاَتِ وَفِي كُلِّ مَا يَتَعَاطَاهُ النَّاسُ بَيْنَهُمْ مُجْتَمِعِينَ بِمَا رَأَوْا وَيَعْمَلَ كُلُّ وَاحِدٍ مِنْهُمْ عَلَى ٱنْفِرَادِهِ بِكُلِّ مَا رَأَى وَكُلِّ مَا بَدَا لَهُ جَائِزٌ أَمْرُهُ فِي ذٰلِكَ عَلَى كُلِّ وَاحِدٍ مِنْ أَصْحَابِهِ وَعَلَى أَنَّهُ كُلُّ مَا لَزِمَ كُلَّ وَاحِدٍ مِنْهُمْ عَلَى هٰذِهِ الشَّرِكَةِ الْمَوْصُوفَةِ فِي هٰذَا الْكِتَابِ مِنْ حَقٍّ وَمِنْ دَيْنٍ فَهُوَ لاَزِمٌ لِكُلِّ وَاحِدٍ مِنْهُمْ مِنْ أَصْحَابِهِ الْمُسَمَّيْنَ مَعَهُ فِي هٰذَا الْكِتَابِ وَعَلَى أَنَّ جَمِيعَ مَا رَزَقَهُمُ ٱللَّهُ فِي هٰذِهِ الشَّرِكَةِ الْمُسَمَّاةِ فِيهِ، وَمَا رَزَقَ ٱللَّهُ كُلَّ وَاحِدٍ مِنْهُمْ فِيهَا عَلَى حِدَتِهِ مِنْ فَضْلٍ وَرِبْحٍ فَهُوَ بَيْنَهُمْ جَمِيعاً بِالسَّوِيَّةِ وَمَا كَانَ فِيهَا مِنْ نَقِيصَةٍ فَهُوَ عَلَيْهِمْ جَمِيعاً بِالسَّوِيَّةِ بَيْنَهُمْ وَقَدْ جَعَلَ كُلُّ وَاحِدٍ مِنْ فُلاَنٍ وَفُلاَنٍ وَفُلاَنٍ وَفُلاَنٍ كُلَّ وَاحِدٍ مِنْ أَصْحَابِهِ الْمُسَمَّيْنَ فِي هٰذَا الْكِتَابِ مَعَهُ وَكِيلَهُ فِي الْمُطَالَبَةِ بِكُلِّ حَقٍّ هُوَ لَهُ وَالْمُخَاصَمَةِ فِيهِ وَقَبْضِهِ وَفِي خُصُومَةِ كُلِّ مَنِ ٱعْتَرَضَهُ بِخُصُومَةٍ وَكُلِّ مَنْ يُطَالِبُهُ بِحَقٍّ وَجَعَلَهُ وَصِيَّهُ فِي شَرِكَتِهِ مِنْ بَعْدِ وَفَاتِهِ وَفِي قَضَاءِ دُيُونِهِ وَإِنْفَاذِ وَصَايَاهُ وَقَبِلَ كُلُّ وَاحِدٍ مِنْهُمْ مِنْ كُلِّ وَاحِدٍ مِنْ أَصْحَابِهِ مَا جَعَلَ إِلَيْهِ مِنْ ذٰلِكَ كُلِّهِ أَقَرَّ فُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ.

(47) ـ بابُ شَرِكَةِ الأَبْدانِ

3943 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ سُفْيَانَ قَالَ: حَدَّثَنِي أَبُو إِسْحَاقَ عَنْ أَبِي عُبَيْدَةَ عَنْ عَبْدِ ٱللَّهِ قَالَ: ٱشْتَرَكْتُ أَنَا وَعَمَّارٌ وَسَعْدٌ يَوْمَ بَدْرٍ

(that everything gained by each of us should be divided equally among us); and Sa'd brought two captives, but I and Ammar brought nothing.

3944- It is narrated on the authority of Az-Zuhri that he said, pertaining to two slaves, each of whom is delegated to act by the other, and one of whom writes a deed (of freedom for a certain sum of money to be paid to the master): It is permissible if one is delegated by the other to act, each of them could fulfill the obligation on behalf of the other.

[*] The Cancellation Of A Company

"This is a document written by so and so, so and so, so and so, and so and so: each one of them warrants that he has the full authority and power to acknowledge to each of his companions, pointed out herein all that is included in this document: there broke up between us commercial treatments, dealings, transactions, and partnership in property and different kinds of treatments, loans, exchanges, deposits, trusts, speculations, borrowings, debts, and different operations of renting, sharecropping; and we've repealed our partnership, on accord from all of us, on what we've collectively done, in relation to our commercial treatments and partnership in property and wealth, and now we've repealed all of that and cancelled all the operations between us in all kinds of goods; and we've shown all of that in detail, one by one, and learnt its amount and price, and known it as it is truly and really, with the result that each one of us has got his due right, and it has become in his hand, and thus anyone of us has no right, nor demand, nor claim against each of his companions referred to herein, or against anyone subsequently because of him, or on behalf of him, and that's because each one of us has got his right and what is due to him from all of that, which has now become in his hand. This document is signed by so and so, so and so, so and so, and so and so."

[*] The Separation Of A Couple

Allah Almighty says: " It is not lawful for you, (men), to take back any of your gifts (from your wives), except when both parties fear that they would be unable to keep the limits ordained by Allah. If you (judges) do indeed fear that they would be unable to keep the limits ordained by Allah, there is not blame on either of them if she give something for her freedom." (Al-Baqarah 229) So and so, daughter of so and so, son of so and so, warrants that she has the full authority and power to write this document to so and so, son of so and so, son of so and so: "I've been your wife, and you've consummated marriage with me, and have approached me (sexually), and afterwards, I disliked your companionship, and I liked to leave you, on the condition that

فَجَاءَ سَعْدٌ بِأَسِيرَيْنِ وَلَمْ أَجِيءْ أَنَا وَلاَ عَمَّارٌ بِشَيْءٍ.

3944 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا ٱبْنُ الْمُبَارَكِ عَنْ يُونُسَ عَنِ الزُّهْرِيِّ: فِي عَبْدَيْنِ مُتَفَاوِضَيْنِ كَاتَبَ أَحَدُهُمَا قَالَ: جَائِزٌ إِذَا كَانَا مُتَفَاوِضَيْنِ يَقْضِي أَحَدُهُمَا عَنِ الآخَرِ.

تَفَرُّقُ الشُّرَكَاءِ عن شَرِيكِهِمْ

هٰذَا كِتَابٌ كَتَبَهُ فُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ بَيْنَهُمْ وَأَقَرَّ كُلُّ وَاحِدٍ مِنْهُمْ لِكُلِّ وَاحِدٍ مِنْ أَصْحَابِهِ الْمُسَمَّيْنَ مَعَهُ فِي هٰذَا الْكِتَابِ بِجَمِيعِ مَا فِيهِ فِي صِحَّةٍ مِنْهُ وَجَوَازِ أَمْرٍ أَنَّهُ جَرَتْ بَيْنَنَا مُعَامَلاَتٌ وَمُتَاجَرَاتٌ وَأَشْرِيَةٌ وَبُيُوعٌ وَخُلْطَةٌ وَشَرِكَةٌ فِي أَمْوَالٍ وَفِي أَنْوَاعٍ مِنَ الْمُعَامَلاَتِ وَقُرُوضٌ وَمُصَارَفَاتٌ وَوَدَائِعُ وَأَمَانَاتٌ وَسَفَاتِجُ وَمُضَارَبَاتٌ وَعَوَارِي وَدُيُونٌ وَمُوَاجَرَاتٌ وَمُزَارَعَاتٌ وَمُؤَكَرَاتٌ وَإِنَّا تَنَاقَضْنَا عَلَى التَّرَاضِي مِنَّا جَمِيعاً بِمَا فَعَلْنَا جَمِيعَ مَا كَانَ بَيْنَنَا مِنْ كُلِّ شَرِكَةٍ وَمِنْ كُلِّ مُخَالَطَةٍ كَانَتْ جَرَتْ بَيْنَنَا فِي نَوْعٍ مِنَ الأَمْوَالِ وَالْمُعَامَلاَتِ وَفَسَخْنَا ذٰلِكَ كُلَّهُ فِي جَمِيعِ مَا جَرَى بَيْنَنَا فِي جَمِيعِ الأَنْوَاعِ وَالأَصْنَافِ، وَبَيَّنَّا ذٰلِكَ كُلَّهُ نَوْعاً نَوْعاً، وَعَلِمْنَا مَبْلَغَهُ وَمُنْتَهَاهُ وَعَرَفْنَاهُ عَلَى حَقِّهِ وَصِدْقِهِ فَٱسْتَوْفَى كُلُّ وَاحِدٍ مِنَّا جَمِيعَ حَقِّهِ مِنْ ذٰلِكَ أَجْمَعَ وَصَارَ فِي يَدِهِ فَلَمْ يَبْقَ لِكُلِّ وَاحِدٍ مِنَّا قِبَلَ كُلِّ وَاحِدٍ مِنْ أَصْحَابِهِ الْمُسَمَّيْنَ مَعَهُ فِي هٰذَا الْكِتَابِ، وَلاَ قِبَلَ أَحَدٍ بِسَبَبِهِ وَلاَ بِاسْمِهِ حَقٌّ وَلاَ دَعْوَى وَلاَ طَلِبَةٌ لأَنَّ كُلَّ وَاحِدٍ مِنَّا قَدِ ٱسْتَوْفَى جَمِيعَ حَقِّهِ وَجَمِيعَ مَا كَانَ لَهُ مِن جَمِيعِ ذٰلِكَ كُلِّهِ وَصَارَ فِي يَدِهِ مُوَفَّراً أَقَرَّ فُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ وَفُلاَنٌ.

بابُ تَفَرُّقِ الزَّوْجَيْنِ عن مُزَاوَجَتِهِمَا

قَالَ ٱللَّهُ تَبَارَكَ وَتَعَالَى: ﴿وَلَا يَحِلُّ لَكُمْ أَن تَأْخُذُواْ مِمَّآ ءَاتَيْتُمُوهُنَّ شَيْـًٔا إِلَّآ أَن يَخَافَآ أَلَّا يُقِيمَا حُدُودَ ٱللَّهِ فَإِنْ خِفْتُمْ أَلَّا يُقِيمَا حُدُودَ ٱللَّهِ فَلَا جُنَاحَ عَلَيْهِمَا فِيمَا ٱفْتَدَتْ بِهِۦ﴾ [البقرة، الآية: 229]. هٰذَا كِتَابٌ كَتَبَتْهُ فُلاَنَةُ بِنْتُ فُلاَنِ بْنِ فُلاَنٍ فِي صِحَّةٍ مِنْهَا وَجَوَازِ أَمْرٍ لِفُلاَنِ بْنِ فُلاَنِ بْنِ فُلاَنٍ إِنِّي كُنْتُ زَوْجَةً لَكَ وَكُنْتَ دَخَلْتَ بِي فَأَفْضَيْتَ إِلَيَّ ثُمَّ إِنِّي كَرِهْتُ صُحْبَتَكَ وَأَحْبَبْتُ مُفَارَقَتَكَ عَنْ غَيْرِ إِضْرَارٍ مِنْكَ بِي وَلاَ مَنْعِي

you should cause no damage to me, nor prevent me from getting any right due upon you to me. When we both feared we might be unable to keep the limits ordained by Allah Almighty, I asked you to divorce me at my request, with one and final pronouncement of divorce, canceling all you owe me, including the dower which consists of such and such Dinars, and in return for such and such Dinars, I've given you besides my dower; and you've done what I've asked you to do, and divorced me with one and final pronouncement of divorce, which has cancelled all of the remaining dower due upon you to me, defined herein, and in return for the Dinars referred to herein besides (the dower); and I've accepted that from you orally, when you addressed me with it, and in response to your statement before we depart from one another; and I've paid you all of those Dinars referred to herein, hereby you've divorced me at my request, in full, besides those of which my dower comprises; and in this way, I've come to be finally divorced from you, and have the freedom and power to dispose of myself, in accordance with the final and optional divorce described herein; and thus, you have no way nor claim over me, and you have no right to bring me back (to your guardianship); and I've received from you all that is due to my fellows during the period of my Iddat, and I've got all what I need in full according to what is due to such a divorced woman as is in the like of my state, upon her husband who might be in the like of your state; and on the basis of that, none of us should have any right, demand or claim against the other, and any demand or right claimed by anyone of us in any case, against the other is invalid, and the other against whom such is claimed is free from it; and anyone of us has accepted all that is acknowledged to him (or her) by his (or her) companion, and agreed upon all from which he (or she) has cleared him (or her), in relation to what is described herein, orally, when each addressed the other before departing from one another, and leaving the gathering, where all of that has happened. This document is signed by so and so, daughter of so and so, and so and so, son of so and so."

[48] The Written Deed Of Freedom (In Return For A Certain Sum)

Allah Almighty says: " And if any of your slaves ask for a deed in writing (to enable them to earn their freedom for a certain sum), give them such a deed if you know any good in them." (An-Nur 33) "So and so, son of so and so, son of so and so, warrants the full authority and power to write this deed of freedom for his Nubian slave, called so and so, duly in his ownership and hand: 'I've written this deed of freedom for you for a sum of three thousand Dirhams, in a state of soundness, each weighing seven weights, to be paid in installments within a term of six years, beginning from the first of such and such a month in such and such a year, on the condition that you should pay

لِحَقٍّ وَاجِبٍ لِي عَلَيْكَ وَإِنِّي سَأَلْتُكَ عِنْدَمَا خِفْنَا أَنْ لاَ نُقِيمَ حُدُودَ ٱللَّهِ أَنْ تَخْلَعَنِي فَتُبِينَنِي مِنْكَ بِتَطْلِيقَةٍ بِجَمِيعِ مَا لِي عَلَيْكَ مِنْ صَدَاقٍ وَهُوَ كَذَا وَكَذَا دِينَاراً جِيَاداً مَثَاقِيلَ وَبِكَذَا وَكَذَا دِينَاراً جِيَاداً مَثَاقِيلَ أَعْطَيْتُكَهَا عَلَى ذٰلِكَ سِوَى مَا فِي صَدَاقِي فَفَعَلْتَ الَّذِي سَأَلْتُكَ مِنْهُ فَطَلَّقْتَنِي تَطْلِيقَةً بَائِنَةً بِجَمِيعِ مَا كَانَ بَقِيَ لِي عَلَيْكَ مِنْ صَدَاقِي الْمُسَمَّى مَبْلَغُهُ فِي هٰذَا الْكِتَابِ وَبِالدَّنَانِيرِ الْمُسَمَّاةِ فِيهِ سِوَى ذٰلِكَ فَقَبِلْتُ ذٰلِكَ مِنْكَ مُشَافَهَةً لَكَ عِنْدَ مُخَاطَبَتِكَ إِيَّايَ بِهِ، وَمُجَاوَبَةً عَلَى قَوْلِكَ مِنْ قَبْلِ تَصَادُرِنَا عَنْ مَنْطِقِنَا ذٰلِكَ وَدَفَعْتُ إِلَيْكَ جَمِيعَ هٰذِهِ الدَّنَانِيرِ الْمُسَمَّى مَبْلَغُهَا فِي هٰذَا الْكِتَابِ الَّذِي خَالَعْتَنِي عَلَيْهَا وَافِيَةً سِوَى مَا فِي صَدَاقِي فَصِرْتُ بَائِنَةً مِنْكَ مَالِكَةً لأَمْرِي بِهٰذَا الْخُلْعِ الْمَوْصُوفِ أَمْرُهُ فِي هٰذَا الْكِتَابِ فَلاَ سَبِيلَ لَكَ عَلَيَّ وَلاَ مُطَالَبَةَ وَلاَ رَجْعَةَ وَقَدْ قَبَضْتُ مِنْكَ جَمِيعَ مَا يَجِبُ لِمِثْلِي مَا دُمْتُ فِي عِدَّةٍ مِنْكَ وَجَمِيعَ مَا أَحْتَاجُ إِلَيْهِ بِتَمَامِ مَا يَجِبُ لِلْمُطَلَّقَةِ الَّتِي تَكُونُ فِي مِثْلِ حَالِي عَلَى زَوْجِهَا الَّذِي يَكُونُ فِي مِثْلِ حَالِكَ فَلَمْ يَبْقَ لِوَاحِدٍ مِنَّا قِبَلَ صَاحِبِهِ حَقٌّ وَلاَ دَعْوَى وَلاَ طَلِبَةٌ فَكُلُّ مَا ٱدَّعَى وَاحِدٌ مِنَّا قِبَلَ صَاحِبِهِ مِنْ حَقٍّ وَمِنْ دَعْوَى وَمِنْ طَلَبَةٍ بِوَجْهٍ مِنَ الْوُجُوهِ فَهُوَ فِي جَمِيعِ دَعْوَاهُ مُبْطِلٌ وَصَاحِبُهُ مِنْ ذٰلِكَ أَجْمَعَ بَرِيءٌ وَقَدْ قَبِلَ كُلُّ وَاحِدٍ مِنَّا كُلَّ مَا أَقَرَّ لَهُ بِهِ صَاحِبُهُ وَكُلَّ مَا أَبْرَأَهُ مِنْهُ مِمَّا وُصِفَ فِي هٰذَا الْكِتَابِ مُشَافَهَةً عِنْدَ مُخَاطَبَتِهِ إِيَّاهُ قَبْلَ تُصَادُرِنَا عَنْ مَنْطِقِنَا وَٱفْتِرَاقِنَا عَنْ مَجْلِسِنَا الَّذِي جَرَى بَيْنَنَا فِيهِ. أَقَرَّتْ فُلاَنَةُ وَفُلاَنٌ.

(48) ـ الكِتَابَةُ

قَالَ ٱللَّهُ عَزَّ وَجَلَّ: ﴿وَٱلَّذِينَ يَبْتَغُونَ ٱلْكِتَٰبَ مِمَّا مَلَكَتْ أَيْمَٰنُكُمْ فَكَاتِبُوهُمْ إِنْ عَلِمْتُمْ فِيهِمْ خَيْرًا﴾ [النور، الآية: 33]. هٰذَا كِتَابٌ كَتَبَهُ فُلاَنُ ابْنُ فُلاَنٍ فِي صِحَّةٍ مِنْهُ وَجَوَازِ أَمْرٍ لِفَتَاهُ النُّوبِيِّ الَّذِي يُسَمَّى فُلاَناً وَهُوَ يَوْمَئِذٍ فِي مِلْكِهِ وَيَدِهِ إِنِّي كَاتَبْتُكَ عَلَى ثَلاَثَةِ آلاَفِ دِرْهَمٍ وُضْحٍ جِيَادٍ وَزْنِ سَبْعَةٍ مُنَجَّمَةٍ عَلَيْكَ سِتُّ سِنِينَ مُتَوَالِيَاتٍ أَوَّلُهَا مُسْتَهَلُّ شَهْرِ كَذَا مِنْ سَنَةِ كَذَا عَلَى أَنْ تَدْفَعَ إِلَيَّ هٰذَا الْمَالَ الْمُسَمَّى مَبْلَغُهُ

me this sum defined herein in installments, hereby you would become free, and has whatever rights the free men have, and bears whatever obligations the free men bear. But in case you fail to fulfill anything of that, this deed becomes invalid, and you then will remain a slave, who has no written deed of freedom; and I've accepted your written deed pursuant to the conditions defined here, before departing from one another, and leaving this gathering, where this has happened between us'. This deed is signed by so and so, son of so and so, and so and so."

[49] Emancipating A Slave (On The Condition That It Would Come Into Force After The Manumitter's Death)

So and so, son of so and so, warrants that he has the authority and power to write the following deed for his Cecelian slave, the baker and cooker, named so and so, duly in his possession and hand: "I've emancipated you on the condition that this emancipation would come into force after my death, for the Sake of the Countenance of Allah Almighty, and in expectation for His reward: you will be free after my death, and there is no way for anyone over you after my death except the way of allegiance (the right of inheriting one's property) which should be to me and to my offspring after me. So and so pledges that he has the authority and power to acknowledge of that is included in this deed, after all of it has been recited to him, in the presence of the witnesses referred herein, and he acknowledges in their presence that he has heard, learnt and understood all of it, and made Allah Almighty Witness to it, and Allah suffices for Witness, and those who are present bear witness to it." "So and so, the Cecelian baker and cooker warrants that he has the authority and power to acknowledge that all that this deed includes is right according to what is described and defined herein."

[50] Emancipation

So and so, son of so and so, warrants that he has the authority and power to write the following deed in such and such a month, in such and such a year, for his Roman slave named so and so, duly in his possession and hand: "I've emancipated you irrevocably as a means to become nearer to the Presence of Allah Almighty, and in expectation for His Great Reward, in which there is no exception, after which there is no retraction from my part: you are free for the sake of the Countenance of Allah Almighty and the (reward of) the hereafter, and there is no way for me nor for anyone else over you, barring the right of allegiance (inheriting one's property), which should be to me and to my offspring after me."

فِي هٰذَا الْكِتَابِ فِي نُجُومِهَا فَأَنْتَ حُرٌّ بِهَا لَكَ مَا لِلأَحْرَارِ وَعَلَيْكَ مَا عَلَيْهِمْ فَإِنْ أَخْلَلْتَ شَيْئاً مِنْهُ عَنْ مَحِلِّهِ بَطَلَتِ الْكِتَابَةُ وَكُنْتَ رَقِيقاً لاَ كِتَابَةَ لَكَ وَقَدْ قَبِلْتُ مُكَاتَبَتَكَ عَلَيْهِ عَلَى الشُّرُوطِ الْمَوْصُوفَةِ فِي هٰذَا الْكِتَابِ قَبْلَ تَصَادُرِنَا عَنْ مَنْطِقِنَا وَٱفْتِرَاقِنَا عَنْ مَجْلِسِنَا الَّذِي جَرَى بَيْنَنَا ذٰلِكَ فِيهِ. أَقَرَّ فُلاَنٌ وَفُلاَنٌ.

(49) ـ تَدْبِيرٌ

هٰذَا كِتَابٌ كَتَبَهُ فُلاَنُ ابْنُ فُلاَنِ ابْنِ فُلاَنٍ لِفَتَاهُ الصَّقَلِّي الْخَبَّازِ الطَّبَّاخِ الَّذِي يُسَمَّى فُلاَناً وَهُوَ يَوْمَئِذٍ فِي مِلْكِهِ وَيَدِهِ إِنِّي دَبَّرْتُكَ لِوَجْهِ ٱللَّهِ عَزَّ وَجَلَّ وَرَجَاءِ ثَوَابِهِ فَأَنْتَ حُرٌّ بَعْدَ مَوْتِي لاَ سَبِيلَ لأَحَدٍ عَلَيْكَ بَعْدَ وَفَاتِي إِلاَّ سَبِيلَ الْوَلاَءِ فَإِنَّهُ لِي وَلِعَقِبِي مِنْ بَعْدِي أَقَرَّ فُلاَنُ بْنُ فُلاَنٍ بِجَمِيعِ مَا فِي هٰذَا الْكِتَابِ طَوْعاً فِي صِحَّةٍ مِنْهُ وَجَوَازِ أَمْرٍ مِنْهُ بَعْدَ أَنْ قُرِىءَ ذٰلِكَ كُلُّهُ عَلَيْهِ بِمَحْضَرٍ مِنَ الشُّهُودِ الْمُسَمَّيْنَ فِيهِ فَأَقَرَّ عِنْدَهُمْ أَنَّهُ قَدْ سَمِعَهُ وَفَهِمَهُ وَعَرَفَهُ وَأَشْهَدَ ٱللَّهَ عَلَيْهِ وَكَفَى بِاللَّهِ شَهِيداً ثُمَّ مَنْ حَضَرَهُ مِنَ الشُّهُودِ عَلَيْهِ أَقَرَّ فُلاَنٌ الصَّقَلِّيُّ الطَّبَّاخُ فِي صِحَّةٍ مِنْ عَقْلِهِ وَبَدَنِهِ أَنَّ جَمِيعَ مَا فِي هٰذَا الْكِتَابِ حَقٌّ عَلَى مَا سُمِّيَ وَوُصِفَ فِيهِ.

(50) ـ عِتْقٌ

هٰذَا كِتَابٌ كَتَبَهُ فُلاَنُ ابْنُ فُلاَنٍ طَوْعاً فِي صِحَّةٍ مِنْهُ وَجَوَازِ أَمْرٍ وَذٰلِكَ فِي شَهْرِ كَذَا مِنْ سَنَةِ كَذَا لِفَتَاهُ الرُّومِيِّ الَّذِي يُسَمَّى فُلاَناً وَهُوَ يَوْمَئِذٍ فِي مِلْكِهِ وَيَدِهِ إِنِّي أَعْتَقْتُكَ تَقَرُّباً إِلَى ٱللَّهِ عَزَّ وَجَلَّ وَٱبْتِغَاءَ لِجَزِيلِ ثَوَابِهِ عِتْقاً بَتًّا لاَ مَثْنَوِيَّةَ فِيهِ وَلاَ رَجْعَةَ لِي عَلَيْكَ فَأَنْتَ حُرٌّ لِوَجْهِ ٱللَّهِ وَالدَّارِ الآخِرَةِ لاَ سَبِيلَ لِي وَلاَ لأَحَدٍ عَلَيْكَ إِلاَّ الْوَلاَءَ فَإِنَّهُ لِي ولِعَصَبَتِي مِنْ بَعْدِي.

(37) THE BOOK OF WOMEN'S COMPANIONSHIP

[1] The Love Of Women

3945- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "From amongst the things of this world, both women and perfume were made lovable to me; and the delight of my eye was made in the prayer."

3946- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Both women and perfume were made lovable to me; and the delight of my eye was made in the prayer."

3947- It is narrated on the authority of Anas Ibn Malik that he said: Nothing was dearer to Allah's Apostle "Allah's blessing and peace be upon him" after women than horses.

[2] A Man Gives Preference To Any Of His Wives Over The Others

3948- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "He, who has two wives (or more), to one of whom he gives preference over the other, he will come on the Day of Judgement while inclined on one of his sides."

3949- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" used to fix day-and-night-turns for his wives, and do justice with all of them, and then say: "O Allah! This is my conduct in that which is within my capacity: so, do not blame me for that which is within Your Power, even though it is beyond my capacity."

[3] A Man Loves One Of His Wives More Than Others

3950- It is narrated on the authority of A'ishah that she said: The wives of Allah's Apostle "Allah's blessing and peace be upon him" sent Fatimah, the daughter of Allah's Apostle "Allah's blessing and peace be upon him", to Allah's Apostle "Allah's blessing and peace be upon him", and she sought his permission to be admitted, and he was lying with me under my covering, and he admitted her. She said: "O Messenger of Allah! Your wives sent me, asking you to give no preference to the daughter of Abu Quhafah." I kept silent. Allah's Apostle "Allah's blessing and peace be upon him" said to her: "O my daughter! Do you not love whomever I love?" she answered in the affirmative, thereupon he said to her: "Then, love this (A'ishah)!" when Fatimah heard that from Allah's Apostle "Allah's blessing and peace be upon him", she stood up (and left). She returned to the wives of Allah's Apostle

(37) ـ كِتَابُ عِشْرَةِ النِّسَاءِ

(1) ـ بابُ حُبِّ النِّسَاءِ

3945 ـ حَدَّثَنِي الشَّيْخُ الإِمَامُ أَبُو عَبْدِ الرَّحْمٰنِ النَّسَائِيُّ قَالَ: أَخْبَرَنَا الْحُسَيْنُ بْنُ عِيسَى الْقَوْمَسِيُّ قَالَ: حَدَّثَنَا عَفَّانُ بْنُ مُسْلِمٍ قَالَ: حَدَّثَنَا سَلاَّمٌ أَبُو الْمُنْذِرِ عَنْ ثَابِتٍ عَنْ أَنَسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**حُبِّبَ إِلَيَّ مِنَ الدُّنْيَا النِّسَاءُ وَالطِّيبُ وَجُعِلَ قُرَّةُ عَيْنِي فِي الصَّلاَةِ**».

3946 ـ أَخْبَرَنَا عَلِيُّ بْنُ مُسْلِمٍ الطُّوسِيُّ قَالَ: حَدَّثَنَا سَيَّارٌ قَالَ: حَدَّثَنَا جَعْفَرٌ قَالَ: حَدَّثَنَا ثَابِتٌ عَنْ أَنَسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**حُبِّبَ إِلَيَّ النِّسَاءُ وَالطِّيبُ وَجُعِلَتْ قُرَّةُ عَيْنِي فِي الصَّلاَةِ**».

3947 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَفْصِ بْنِ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنِي إِبْرَاهِيمُ بْنُ طَهْمَانَ عَنْ سَعِيدِ بْنِ أَبِي عَرُوبَةَ عَنْ قَتَادَةَ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: «لَمْ يَكُنْ شَيْءٌ أَحَبَّ إِلَى رَسُولِ ٱللَّهِ ﷺ بَعْدَ النِّسَاءِ مِنَ الْخَيْلِ».

(2) ـ مَيْلُ الرَّجُلِ إلى بَعْضِ نِسَائِهِ دون بَعْضٍ

3948 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا هَمَّامٌ عَنْ قَتَادَةَ عَنِ النَّضْرِ بْنِ أَنَسٍ عَنْ بِشِيرِ بْنِ نَهِيكٍ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنْ كَانَ لَهُ ٱمْرَأَتَانِ يَمِيلُ لإِحْدَاهُمَا عَلَى الأُخْرَى جَاءَ يَوْمَ الْقِيَامَةِ أَحَدُ شِقَّيْهِ مَائِلٌ**».

3949 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَزِيدُ قَالَ: أَنْبَأَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ أَيُّوبَ عَنْ أَبِي قِلاَبَةَ عَنْ عَبْدِ ٱللَّهِ بْنِ يَزِيدَ عَنْ عَائِشَةَ قَالَتْ: كَانَ رَسُولُ ٱللَّهِ ﷺ يَقْسِمُ بَيْنَ نِسَائِهِ ثُمَّ يَعْدِلُ ثُمَّ يَقُولُ: «**ٱللَّهُمَّ هٰذَا فِعْلِي فِيمَا أَمْلِكُ فَلاَ تَلُمْنِي فِيمَا تَمْلِكُ وَلاَ أَمْلِكُ**». أَرْسَلَهُ حَمَّادُ بْنُ زَيْدٍ.

(3) ـ حُبُّ الرَّجُلِ بَعْضَ نِسَائِهِ أَكْثَرَ من بَعْضٍ

3950 ـ أَخْبَرَنِي عُبَيْدُ ٱللَّهِ بْنُ سَعْدِ بْنِ إِبْرَاهِيمَ بْنَ سَعْدٍ قَالَ: حَدَّثَنَا عَمِّي قَالَ: حَدَّثَنَا أَبِي عَنْ صَالِحٍ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ بْنِ الْحَارِثِ بْنِ هِشَامٍ أَنَّ عَائِشَةَ قَالَتْ: أَرْسَلَ أَزْوَاجُ النَّبِيِّ ﷺ فَاطِمَةَ بِنْتَ رَسُولِ ٱللَّهِ ﷺ إِلَى رَسُولِ ٱللَّهِ ﷺ فَٱسْتَأْذَنَتْ عَلَيْهِ وَهُوَ مُضْطَجِعٌ مَعِي فِي مِرْطِي فَأَذِنَ لَهَا فَقَالَتْ: يا رَسُولَ ٱللَّهِ إِنَّ أَزْوَاجَكَ أَرْسَلْنَنِي إِلَيْكَ يَسْأَلْنَكَ الْعَدْلَ فِي ٱبْنَةِ أَبِي قُحَافَةَ وَأَنَا سَاكِتَةٌ فَقَالَ لَهَا رَسُولُ ٱللَّهِ ﷺ: «**أَيْ بُنَيَّةُ أَلَسْتِ تُحِبِّينَ مَنْ أُحِبُّ؟**» قَالَتْ: بَلَى قَالَ: «**فَأَحِبِّي هٰذِهِ**». فَقَامَتْ فَاطِمَةُ حِينَ سَمِعَتْ ذٰلِكَ مِنْ رَسُولِ ٱللَّهِ ﷺ فَرَجَعَتْ إِلَى أَزْوَاجِ

"Allah's blessing and peace be upon him", and told them of what she said to him and what he said to her. They said to her: "We do not think you've sufficed us in this matter. Return to Allah's Apostle "Allah's blessing and peace be upon him" and say to him: "Your wives beseech you to give no preference to the daughter of Abu Quhafah." Fatimah said: "No, by Allah, I will never talk to him about her." A'ishah added: The wives of Allah's Apostle "Allah's blessing and peace be upon him" sent Zainab Bint Jahsh to Allah's Apostle "Allah's blessing and peace be upon him", and it was she, from amongst the wives of Allah's Apostle "Allah's blessing and peace be upon him", who was equal to me in position in the sight of Allah's Apostle "Allah's blessing and peace be upon him"; and I've never seen a woman, better in religion, more Allah-fearing, truer in speech, more ready to keep good relation with her kith and kin, and give in charity, more wholeheartedly devoted in her work therewith she used to give in charity and come nearer to Allah Almighty than Zainab Bint Jahsh, except that she was hasty to grow angry, even though she would soon become quiet. She sought the permission of Allah's Apostle "Allah's blessing and peace be upon him" to be admitted, and Allah's Apostle "Allah's blessing and peace be upon him" was still lying with A'ishah under her covering, in the same state, in which he was when Fatimah had come to him earlier, and Allah's Apostle "Allah's blessing and peace be upon him" admitted her. She said: "O Messenger of Allah! Your wives sent me asking you to give no preference to the daughter of Abu Quhafah." Then, she went on abusing me so much, and I was watching Allah's Apostle "Allah's blessing and peace be upon him", and watching his eye-wink, and whether he had allowed me to reply to her. However, Zainab did not leave before I came to know that Allah's Apostle "Allah's blessing and peace be upon him" did not dislike me to defend myself. As soon as I had started abusing her (in reply to her insults), I silenced her. On that Allah's Apostle "Allah's blessing and peace be upon him" said: "This is really the daughter of Abu Bakr (who has power to defend herself well)."

3951- It is narrated on the authority of A'ishah that she said the same, in which she said: The wives of Allah's Apostle "Allah's blessing and peace be upon him" sent Zainab Bint Jahsh to Allah's Apostle "Allah's blessing and peace be upon him", and she sought his permission to be admitted, and he admitted her and said the same as the previous narration.

3952- It is narrated on the authority of A'ishah that she said: The wives of Allah's Apostle "Allah's blessing and peace be upon him" gathered together and agreed to send Fatimah, the daughter of Allah's Apostle "Allah's blessing and peace be upon him", to Allah's Apostle "Allah's blessing and peace be upon him", with the message that he should give no preference to A'ishah,

النَّبِيِّ ﷺ فَأَخْبَرَتْهُنَّ بِالَّذِي قَالَتْ وَالَّذِي قَالَ لَهَا فَقُلْنَ لَهَا: مَا نَرَاكِ أَغْنَيْتِ عَنَّا مِنْ شَيْءٍ فَارْجِعِي إِلَى رَسُولِ ٱللَّهِ ﷺ فَقُولِي لَهُ: إِنَّ أَزْوَاجَكَ يَنْشُدْنَكَ الْعَدْلَ فِي ٱبْنَةِ أَبِي قُحَافَةَ قَالَتْ فَاطِمَةُ: لاَ وَٱللَّهِ لاَ أُكَلِّمُهُ فِيهَا أَبَداً قَالَتْ عَائِشَةُ: فَأَرْسَلَ أَزْوَاجُ النَّبِيِّ ﷺ زَيْنَبَ بِنْتَ جَحْشٍ إِلَى رَسُولِ ٱللَّهِ ﷺ وَهِيَ الَّتِي كَانَتْ تُسَامِينِي مِنْ أَزْوَاجِ النَّبِيِّ ﷺ فِي الْمَنْزِلَةِ عِنْدَ رَسُولِ ٱللَّهِ ﷺ وَلَمْ أَرَ امْرَأَةً قَطُّ خَيْراً فِي الدِّينِ مِنْ زَيْنَبَ وَأَتْقَى لِلَّهِ عَزَّ وَجَلَّ وَأَصْدَقَ حَدِيثاً وَأَوْصَلَ لِلرَّحِمِ وَأَعْظَمَ صَدَقَةً وَأَشَدَّ ٱبْتِذَالاً لِنَفْسِهَا فِي الْعَمَلِ الَّذِي تَصَدَّقُ بِهِ وَتَقَرَّبُ بِهِ مَا عَدَا سَوْرَةً مِنْ حِدَّةٍ كَانَتْ فِيهَا تُسْرِعُ مِنْهَا الْفَيْئَةَ فَٱسْتَأْذَنَتْ عَلَى رَسُولِ ٱللَّهِ ﷺ وَرَسُولُ ٱللَّهِ ﷺ مَعَ عَائِشَةَ فِي مِرْطِهَا عَلَى الْحَالِ الَّتِي كَانَتْ دَخَلَتْ فَاطِمَةُ عَلَيْهَا فَأَذِنَ لَهَا رَسُولُ ٱللَّهِ ﷺ فَقَالَتْ: يَا رَسُولَ ٱللَّهِ إِنَّ أَزْوَاجَكَ أَرْسَلْنَنِي يَسْأَلْنَكَ الْعَدْلَ فِي ٱبْنَةِ أَبِي قُحَافَةَ وَوَقَعَتْ بِي فَاسْتَطَالَتْ وَأَنَا أَرْقُبُ رَسُولَ ٱللَّهِ ﷺ وَأَرْقُبُ طَرْفَهُ هَلْ أَذِنَ لِي فِيهَا فَلَمْ تَبْرَحْ زَيْنَبُ حَتَّى عَرَفْتُ أَنَّ رَسُولَ ٱللَّهِ ﷺ لاَ يَكْرَهُ أَنْ أَنْتَصِرَ فَلَمَّا وَقَعْتُ بِهَا لَمْ أَنْشَبْهَا بِشَيْءٍ حَتَّى أَنْحَيْتُ عَلَيْهَا فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنَّهَا ٱبْنَةُ أَبِي بَكْرٍ»**.

3951 ـ أَخْبَرَنِي عِمْرَانُ بْنُ بَكَّارٍ الْحِمْصِيُّ قَالَ: حَدَّثَنَا أَبُو الْيَمَانِ قَالَ: أَنْبَأَنَا شُعَيْبٌ عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ بْنِ الْحَارِثِ بْنِ هِشَامٍ أَنَّ عَائِشَةَ قَالَتْ: فَذَكَرَتْ نَحْوَهُ وَقَالَتْ: أَرْسَلَ أَزْوَاجُ النَّبِيِّ ﷺ زَيْنَبَ فَٱسْتَأْذَنَتْ فَأَذِنَ لَهَا فَدَخَلَتْ فَقَالَتْ: نَحْوَهُ. خَالَفَهُمَا مَعْمَرٌ رَوَاهُ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ.

3952 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ النَّيْسَابُورِيُّ الثِّقَةُ الْمَأْمُونُ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ عَنْ مَعْمَرٍ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ: ٱجْتَمَعْنَ أَزْوَاجُ النَّبِيِّ ﷺ فَأَرْسَلْنَ فَاطِمَةَ إِلَى النَّبِيِّ ﷺ فَقُلْنَ لَهَا: إِنَّ نِسَاءَكَ وَذَكَرَ كَلِمَةً مَعْنَاهَا يَنْشُدْنَكَ الْعَدْلَ فِي ٱبْنَةِ أَبِي قُحَافَةَ قَالَتْ: فَدَخَلَتْ عَلَى النَّبِيِّ ﷺ وَهُوَ مَعَ عَائِشَةَ

the daughter of Abu Quhafah. She came and entered upon Allah's Apostle "Allah's blessing and peace be upon him", while he was lying with A'ishah under her covering. She said: "Your wives sent me, asking you to give no preference to the daughter of Abu Quhafah." Allah's Apostle "Allah's blessing and peace be upon him" said to her: "O my daughter! Do you really love me?" she answered in the affirmative, thereupon he said to her: "Then, love this (A'ishah)!" when Fatimah heard that from Allah's Apostle "Allah's blessing and peace be upon him", she stood up (and left). She returned to the wives of Allah's Apostle "Allah's blessing and peace be upon him", and told them of what he said to her. They said to her: "You've did nothing of benefit to us in this matter. Return to him once again." Fatimah said: "No, by Allah, I will never return to talk to him about her." However, she was really the daughter of Allah's Apostle "Allah's blessing and peace be upon him". A'ishah added: The wives of Allah's Apostle "Allah's blessing and peace be upon him" sent Zainab Bint Jahsh to Allah's Apostle "Allah's blessing and peace be upon him", and it was she, from amongst the wives of Allah's Apostle "Allah's blessing and peace be upon him", who was equal to me in position in the sight of Allah's Apostle "Allah's blessing and peace be upon him". She said: "Your wives sent me to you, and they beseech you to give no preference to the daughter of Abu Quhafah." Then, she went on abusing me so much, and I was watching Allah's Apostle "Allah's blessing and peace be upon him", and watching his eye-wink, and whether he had allowed me to defend myself. She abused me so much and I thought he did not dislike me to defend myself against her, thereupon I faced her and I had no sooner (gone on abusing her) than I silenced her. On that Allah's Apostle "Allah's blessing and peace be upon him" said: "This is really the daughter of Abu Bakr (who has power to defend herself well)." A'ishah further said: I've never seen a woman, better in religion, more Allah-fearing, truer in speech, more ready to keep good relation with her kith and kin, and give in charity, more wholeheartedly devoted in every deed therewith she would come nearer to Allah Almighty than Zainab Bint Jahsh, except that she was hasty to grow angry, even though she would soon become quiet.

3953- It is narrated on the authority of Abu Musa that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The superiority of A'ishah to the other women is like the superiority of porridge with meat to all kinds of food."

3954- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The superiority of A'ishah to the other women is like the superiority of porridge with meat to all kinds of food."

فِي مِرْطِهَا فَقَالَتْ لَهُ: إِنَّ نِسَاءَكَ أَرْسَلْنَنِي وَهُنَّ يَنْشُدْنَكَ الْعَدْلَ فِي ٱبْنَةِ أَبِي قُحَافَةَ فَقَالَ لَهَا النَّبِيُّ ﷺ: «**أَتُحِبِّينَنِي؟**» قَالَتْ: نَعَمْ قَالَ: «**فَأَحِبِّيهَا**» قَالَتْ: فَرَجَعَتْ إِلَيْهِنَّ فَأَخْبَرَتْهُنَّ مَا قَالَ فَقُلْنَ لَهَا: إِنَّكِ لَمْ تَصْنَعِي شَيْئاً فَٱرْجِعِي إِلَيْهِ فَقَالَتْ: وَٱللَّهِ لاَ أَرْجِعُ إِلَيْهِ فِيهَا أَبَداً وَكَانَتْ ٱبْنَةُ رَسُولِ ٱللَّهِ ﷺ حَقّاً فَأَرْسَلْنَ زَيْنَبَ بِنْتَ جَحْشٍ قَالَتْ عَائِشَةُ: وَهِيَ الَّتِي كَانَتْ تُسَامِينِي مِنْ أَزْوَاجِ النَّبِيِّ ﷺ فَقَالَتْ: أَزْوَاجُكَ أَرْسَلْنَنِي وَهُن يَنْشُدْنَكَ الْعَدْلَ فِي ٱبْنَةِ أَبِي قُحَافَةَ ثُمَّ أَقْبَلَتْ عَلَيَّ تَشْتِمُنِي فَجَعَلْتُ أُرَاقِبُ النَّبِيَّ ﷺ وَأَنْظُرُ طَرْفَهُ هَلْ يَأْذَنُ لِي مِنْ أَنْ أَنْتَصِرَ مِنْهَا قَالَتْ: فَشَتَمَتْنِي حَتَّى ظَنَنْتُ أَنَّهُ لاَ يَكْرَهُ أَنْ أَنْتَصِرَ مِنْهَا فَٱسْتَقْبَلْتُهَا فَلَمْ أَلْبَثْ أَنْ أَفْحَمْتُهَا فَقَالَ لَهَا النَّبِيُّ ﷺ: «**إِنَّهَا ٱبْنَةُ أَبِي بَكْرٍ**» قَالَتْ عَائِشَةُ: فَلَمْ أَرَ ٱمْرَأَةً خَيْراً وَلاَ أَكْثَرَ صَدَقَةً وَلاَ أَوْصَلَ لِلرَّحِمِ وَأَبْذَلَ لِنَفْسِهَا فِي كُلِّ شَيْءٍ يُتَقَرَّبُ بِهِ إِلَى ٱللَّهِ تَعَالَى مِنْ زَيْنَبَ مَا عَدَا سَوْرَةً مِنْ حِدَّةٍ كَانَتْ فِيهَا تُوشِكُ مِنْهَا الْفَيْأَةُ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا خَطَأٌ وَالصَّوَابُ الَّذِي قَبْلَهُ.

3953 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا بِشْرٌ يَعْنِي ٱبْنَ الْمُفَضَّلِ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَمْرِو بْنِ مُرَّةَ عَنْ أَبِي مُوسَى عَنِ النَّبِيِّ ﷺ قَالَ: «**فَضْلُ عَائِشَةَ عَلَى النِّسَاءِ كَفَضْلِ الثَّرِيدِ عَلَى سَائِرِ الطَّعَامِ**».

3954 ـ أَخْبَرَنَا عَلِيُّ بْنُ خَشْرَمٍ قَالَ: أَنْبَأَنَا عِيسَى بْنُ يُونُسَ عَنِ ٱبْنِ ذِئْبٍ عَنِ الْحَارِثِ بْنِ عَبْدِ الرَّحْمٰنِ عَنْ أَبِي سَلَمَةَ عَنْ عَائِشَةَ: أَنَّ النَّبِيَّ ﷺ قَالَ: «**فَضْلُ عَائِشَةَ عَلَى النِّسَاءِ كَفَضْلِ الثَّرِيدِ عَلَى سَائِرِ الطَّعَامِ**».

3955- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" said: "O Umm Salamah! Do not harm me pertaining to A'ishah, for by Allah, the Divine Revelation has not come upon me while being in the covering of any woman of you barring she."

3956- It is narrated on the authority of Umm Salamah that the wives of Allah's Apostle "Allah's blessing and peace be upon him" asked her to talk to Allah's Apostle "Allah's blessing and peace be upon him" about the fact that the people always waited the day on which Allah's Apostle "Allah's blessing and peace be upon him" would visit A'ishah in order to present their gifts, and (asked her to) say to him: "Of a surety, we like good in the same way as you like A'ishah." She talked to him, but he gave her no reply. When he visited her on hr day-and-night turn, she talked to him once again, but he gave no reply. When they asked her about what he had said to her, she said: "He gave no reply to me." They said: "Do not leave him until he should give reply to you, or see what he would say to you." When he visited her on the day of her turn and she talked to him, he said: "Do not harm me concerning A'ishah, for indeed, the Divine Revelation has never come upon me in the covering of anyone of you but A'ishah."

3957- It is narrated on the authority of A'ishah that the people used to expect for the day of A'ishah whenever they liked to present their gifts, seeking the good pleasure of Allah's Apostle "Allah's blessing and peace be upon him" (because of their knowledge of the fact that the Prophet loved her more than he loved anyone of his wives).

3958- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" was Divinely revealed by Allah while I was with him (for he was in my house), thereupon I stood up and closed the door between him and me; and when this sate was over he said to me: "O A'ishah! Gabriel pays you salutation."

3959- It is narrated on the authority of A'ishah that Allah's Apostle "Allah's blessing and peace be upon him" said to her: "Gabriel pays you salutation." She said: "Peace, Allah's Mercy and Blessing be upon him! No doubt, you see what we see not."

3960- It is narrated on the authority of A'ishah that Allah's Apostle "Allah's blessing and peace be upon him" said to her: "O A'ishah! This Gabriel, and he pays you salutation…"and the rest is the same.

3955 ـ أَخْبَرَنَا أَبُو بَكْرِ بْنُ إِسْحَاقَ الصَّنْعَانِيُّ قَالَ: حَدَّثَنَا شَاذَانُ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«يَا أُمَّ سَلَمَةَ لاَ تُؤْذِينِي فِي عَائِشَةَ فَإِنَّهُ وَٱللَّهُ مَا أَتَانِي الْوَحْيُ فِي لِحَافِ ٱمْرَأَةٍ مِنْكُنَّ إِلاَّ هِيَ»**.

3956 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ آدَمَ عَنْ عَبْدَةَ عَنْ هِشَامٍ عَنْ عَوْفِ بْنِ الْحَارِثِ عَنْ رُمَيْثَةَ عَنْ أُمِّ سَلَمَةَ: أَنَّ نِسَاءَ النَّبِيِّ ﷺ كَلَّمْنَهَا أَنْ تُكَلِّمَ النَّبِيَّ ﷺ أَنَّ النَّاسَ كَانُوا يَتَحَرَّوْنَ بِهَدَايَاهُمْ يَوْمَ عَائِشَةَ وَتَقُولُ لَهُ إِنَّا نُحِبُّ الْخَيْرَ كَمَا تُحِبُّ عَائِشَةَ فَكَلَّمَتْهُ فَلَمْ يُجِبْهَا فَلَمَّا دَارَ عَلَيْهَا كَلَّمَتْهُ أَيْضاً فَلَمْ يُجِبْهَا وَقُلْنَ مَا رَدَّ عَلَيْكِ قَالَتْ: لَمْ يُجِبْنِي قُلْنَ لاَ تَدَعِيهِ حَتَّى يَرُدَّ عَلَيْكِ أَوْ تَنْظُرِينَ مَا يَقُولُ فَلَمَّا دَارَ عَلَيْهَا كَلَّمَتْهُ فَقَالَ: **«لاَ تُؤْذِينِي فِي عَائِشَةَ فَإِنَّهُ لَمْ يَنْزِلْ عَلَيَّ الْوَحْيُ وَأَنَا فِي لِحَافِ ٱمْرَأَةٍ مِنْكُنَّ إِلاَّ فِي لِحَافِ عَائِشَةَ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَانِ الْحَدِيثَانِ صَحِيحَانِ عَنْ عَبْدَةَ.

3957 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدَةُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا هَاشِمُ بْنُ عَبْدِ ٱللَّهِ عَنْ عَائِشَةَ قَالَتْ: كَانَ النَّاسُ يَتَحَرَّوْنَ بِهَدَايَاهُمْ يَوْمَ عَائِشَةَ يَبْتَغُونَ بِذٰلِكَ مَرْضَاةَ رَسُولِ ٱللَّهِ ﷺ.

3958 ـ حَدَّثَنَا مُحَمَّدُ بْنُ آدَمَ عَنْ عَبْدَةَ عَنْ هَاشِمٍ عَنْ صَالِحِ بْنِ رَبِيعَةَ بْنِ هُدَيْرٍ عَنْ عَائِشَةَ قَالَتْ: أَوْحَى ٱللَّهُ إِلَى النَّبِيِّ ﷺ وَأَنَا مَعَهُ فَقُمْتُ فَأَجَفْتُ الْبَابَ بَيْنِي وَبَيْنَهُ فَلَمَّا رُفِّهَ عَنْهُ قَالَ لِي: **«يَا عَائِشَةُ إِنَّ جِبْرِيلَ يُقْرِئُكَ السَّلاَمَ»**.

3959 ـ أَخْبَرَنَا نُوحُ بْنُ حَبِيبٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ عَنْ عَائِشَةَ: أَنَّ النَّبِيَّ ﷺ قَالَ لَهَا: **«إِنَّ جِبْرِيلَ يَقْرَأُ عَلَيْكِ السَّلاَمَ»**. قَالَتْ: وَعَلَيْهِ السَّلاَمُ وَرَحْمَةُ ٱللَّهِ وَبَرَكَاتُهُ تَرَى مَا لاَ نَرَى.

3960 ـ أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا الْحَكَمُ بْنُ نَافِعٍ قَالَ: أَنْبَأَنَا شُعَيْبٌ عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي أَبُو سَلَمَةَ عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«يَا عَائِشَةُ هٰذَا جِبْرِيلُ وَهُوَ يَقْرَأُ عَلَيْكِ السَّلاَمَ»** مِثْلَهُ سَوَاءً.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا الصَّوَابُ وَالَّذِي قَبْلَهُ خَطَأٌ.

[4] What About Jealousy?

3961- It is narrated on the authority of Anas Ibn Malik that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" was in the house of one of the Mothers of the Believers, when another sent a bowl containing food, thereupon she (in whose house he was) struck the hand of the servant, and the bowl fell down and got broken. On that the Messenger of Allah "Allah's blessing and peace be upon him" took the two fragments (of the bowl), and joined them, in which he started gathering the food, while saying: "Your mother has become jealous! You might eat!" they kept eating until she brought her bowl which was in her house; and he gave the unbroken bowl to the servant, and kept the broken one in the house of such as broke it.

3962- It is narrated on the authority of Umm Salamah that she sent food in a bowl to the Messenger of Allah "Allah's blessing and peace be upon him" and his companions. At the same time, A'ishah came wrapping herself in a garment, and having a small stone in her hand, therewith she broke the bowl. the Messenger of Allah "Allah's blessing and peace be upon him" gathered the two fragments of the bowl and said twice: "Eat! Your Mother (A'ishah) has become jealous!" then the Messenger of Allah "Allah's blessing and peace be upon him" took the bowl of A'ishah and sent it to Umm Salamah, and gave Umm Salamah the (unbroken) bowl of A'ishah.

3963- It is narrated on the authority of A'ishah that she said: I've never a cooker more excellent than Safiyyah (Bint Huyai, the Prophet's wife). She presented a vessel containing food to the Messenger of Allah "Allah's blessing and peace be upon him", and I could not help breaking it. Then, I asked the Messenger of Allah "Allah's blessing and peace be upon him" about its expiation, thereupon he said: "(You should give her) A utensil like her utensil, contains food like the food (it contained)."

3964- It is narrated on the authority of A'ishah that she said: Allah's Apostle "Allah's blessing and peace be upon him" used to spend some time in the house of Zainab, the daughter of Jahsh, and drink honey there. So Hafsah and I agreed secretly that, if he should come to either of us, she will say to him: "It seems you have eaten Maghafir (a kind of bad-smelling resin), for I smell in you the smell of Maghafir." When he entered upon one of us, we said that to him. He replied: "No, but I was drinking honey in the house of Zainab, the daughter of Jahsh, and I shall never take it again." Then Allah revealed: "O Prophet! Why do you hold to be forbidden that which Allah has made lawful to you? You do seek to please your consorts. But Allah is Oft-Forgiving, Most Merciful." (Prohibition "At-Tahrim" 1) he also

(4) ـ بَابُ الغَيْرَةِ

3961 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا حُمَيْدٌ قَالَ: حَدَّثَنَا أَنَسٌ قَالَ: كَانَ النَّبِيُّ ﷺ عِنْدَ إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ فَأَرْسَلَتْ أُخْرَى بِقَصْعَةٍ فِيهَا طَعَامٌ فَضَرَبَتْ يَدَ الرَّسُولِ فَسَقَطَتِ الْقَصْعَةُ فَانْكَسَرَتْ فَأَخَذَ النَّبِيُّ ﷺ الْكِسْرَتَيْنِ فَضَمَّ إِحْدَاهُمَا إِلَى الأُخْرَى فَجَعَلَ يَجْمَعُ فِيهَا الطَّعَامَ وَيَقُولُ: «**غَارَتْ أُمُّكُمْ كُلُوا**» فَأَكَلُوا فَأَمْسَكَ حَتَّى جَاءَتْ بِقَصْعَتِهَا الَّتِي فِي بَيْتِهَا فَدَفَعَ الْقَصْعَةَ الصَّحِيحَةَ إِلَى الرَّسُولِ وَتَرَكَ الْمَكْسُورَةَ فِي بَيْتِ الَّتِي كَسَرَتْهَا.

3962 ـ أَخْبَرَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا أَسَدُ بْنُ مُوسَى قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ ثَابِتٍ عَنْ أَبِي الْمُتَوَكِّلِ عَنْ أُمِّ سَلَمَةَ: أَنَّهَا يَعْنِي أَتَتْ بِطَعَامٍ فِي صَحْفَةٍ لَهَا إِلَى رَسُولِ ٱللَّهِ ﷺ وَأَصْحَابِهِ فَجَاءَتْ عَائِشَةُ مُتَّزِرَةً بِكِسَاءٍ وَمَعَهَا فِهْرٌ فَفَلَقَتْ بِهِ الصَّحْفَةَ فَجَمَعَ النَّبِيُّ ﷺ بَيْنَ فِلْقَتَيِ الصَّحْفَةِ وَيَقُولُ: «**كُلُوا غَارَتْ أُمُّكُمْ**». مَرَّتَيْنِ ثُمَّ أَخَذَ رَسُولُ ٱللَّهِ ﷺ صَحْفَةَ عَائِشَةَ فَبَعَثَ بِهَا إِلَى أُمِّ سَلَمَةَ وَأَعْطَى صَحْفَةَ أُمِّ سَلَمَةَ عَائِشَةَ.

3963 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ عَبْدِ الرَّحْمٰنِ عَنْ سُفْيَانَ عَنْ فُلَيْتٍ عَنْ جَسْرَةَ بِنْتِ دُجَاجَةَ عَنْ عَائِشَةَ قَالَتْ: مَا رَأَيْتُ صَانِعَةَ طَعَامٍ مِثْلَ صَفِيَّةَ أَهْدَتْ إِلَى النَّبِيِّ ﷺ إِنَاءً فِيهِ طَعَامٌ فَمَا مَلَكْتُ نَفْسِي أَنْ كَسَرْتُهُ فَسَأَلْتُ النَّبِيَّ ﷺ عَنْ كَفَّارَتِهِ فَقَالَ: «**إِنَاءٌ كَإِنَاءٍ وَطَعَامٌ كَطَعَامٍ**».

3964 ـ أَخْبَرَنَا الْحَسَنُ بْنُ مُحَمَّدٍ الزَّعْفَرَانِيُّ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ عَنْ عَطَاءٍ أَنَّهُ سَمِعَ عُبَيْدَ بْنَ عُمَيْرٍ يَقُولُ سَمِعْتُ عَائِشَةَ تَزْعُمُ: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَ يَمْكُثُ عِنْدَ زَيْنَبَ بِنْتِ جَحْشٍ فَيَشْرَبُ عِنْدَهَا عَسَلاً فَتَوَاصَيْتُ أَنَا وَحَفْصَةُ أَنَّ أَيَّتَنَا دَخَلَ عَلَيْهَا النَّبِيُّ ﷺ فَلْتَقُلْ إِنِّي أَجِدُ مِنْكَ رِيحَ مَغَافِيرَ أَكَلْتَ مَغَافِيرَ فَدَخَلَ عَلَى إِحْدَاهُمَا فَقَالَتْ ذٰلِكَ لَهُ فَقَالَ: «**لاَ بَلْ شَرِبْتُ عَسَلاً عِنْدَ زَيْنَبَ بِنْتِ جَحْشٍ وَلَنْ أَعُودَ لَهُ**». فَنَزَلَتْ ﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ لِمَ تُحَرِّمُ مَآ أَحَلَّ ٱللَّهُ لَكَ﴾ إِلَى قَوْلِهِ:

said: "If you two turn in repentance to Him (meaning Hafsah and A'ishah), your hearts are indeed so inclined." (4) He also said: "When the Prophet disclosed a matter in confidence to one of his consorts (meaning The Prophet's saying: "I drank honey"), and she divulged it (to another)." (3)

3965- It is narrated on the authority of Anas Ibn Malik that Allah's Apostle "Allah's blessing and peace be upon him" had a slave-girl with whom he used to have sexual relation, and Hafsah and A'ishah kept asking him pressingly (to forbid her to him) until he forbade her from him. On that occasion Allah revealed: "O Prophet! Why do you hold to be forbidden that which Allah has made lawful to you? You do seek to please your consorts. But Allah is Oft-Forgiving, Most Merciful." (Prohibition "At-Tahrim" 1)

3966- It is narrated on the authority of A'ishah that she said: I searched for Allah's Apostle "Allah's blessing and peace be upon him" (and did not find him lying beside me) and I got my hand (into the mosque through the curtain and it touched) his hair. On that Allah's Apostle "Allah's blessing and peace be upon him" said: "Has your companions from amongst the Satans come to you (and gave you the false impression that I've gone to anyone of my wives)?" I said to him: "Do you not have a companion from amongst the Satans?" he said: "Yes, but Allah Almighty helped me over him until he embraced Islam (and thus I've become safe from his evil)."

3967- It is narrated on the authority of A'ishah that she said: I missed Allah's Apostle "Allah's blessing and peace be upon him" (and did not find him lying beside me) on one night, and I thought he had gone to anyone of his wives. I looked for him and behold! He was in the state of either bowing or prostrating, uttering the following supplication: "Glorified be You, and with Your Praises (I exalt You): there is no god (to be worshipped) but You." On that I said: "Let my father and mother be sacrificed for you! You are occupied by a serious matter, and I'm thinking of another matter."

3968- It is narrated on the authority of A'ishah that she said: I missed Allah's Apostle "Allah's blessing and peace be upon him" (and did not find him lying beside me) on one night, and I thought he had gone to anyone of his wives. I looked for him and then returned, and behold! He was in the state of either bowing or prostrating, uttering the following supplication: "Glorified be You, and with Your Praises (I exalt You): there is no god (to be worshipped) but You." On that I said: "Let my father and mother be sacrificed for you! You are occupied by a serious matter, and I'm thinking of another matter."

﴿إِن تَتُوبَآ إِلَى ٱللَّهِ﴾ [التحريم، الآية: 1، 4] لِعَائِشَةَ وَحَفْصَةَ ﴿وَإِذْ أَسَرَّ ٱلنَّبِيُّ إِلَىٰ بَعْضِ أَزْوَٰجِهِۦ حَدِيثًا﴾ [التحريم، الآية: 3] لِقَوْلِهِ «**بَلْ شَرِبْتُ عَسَلاً**».

3965 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يُونُسَ بْنِ مُحَمَّدٍ حَرَمِيٌّ هُوَ لَقَبُهُ قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ ثَابِتٍ عَنْ أَنَسٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ كَانَتْ لَهُ أَمَةٌ يَطَؤُهَا فَلَمْ تَزَلْ بِهِ عَائِشَةُ وَحَفْصَةُ حَتَّى حَرَّمَهَا عَلَى نَفْسِهِ فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ: ﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ لِمَ تُحَرِّمُ مَآ أَحَلَّ ٱللَّهُ لَكَ﴾ [التحريم، الآية: 1] إِلَى آخِرِ الآيَةِ.

3966 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا ٱللَّيْثُ عَنْ يَحْيَى هُوَ ٱبْنُ سَعِيدٍ الأَنْصَارِيُّ عَنْ عُبَادَةَ بْنِ الْوَلِيدِ بْنِ عُبَادَةَ بْنِ الصَّامِتِ أَنَّ عَائِشَةَ قَالَتْ: الْتَمَسْتُ رَسُولَ ٱللَّهِ ﷺ فَأَدْخَلْتُ يَدِي فِي شَعْرِهِ فَقَالَ: «**قَدْ جَاءَكِ شَيْطَانُكِ**». فَقُلْتُ: أَمَا لَكَ شَيْطَانٌ؟ فَقَالَ: «**بَلَى وَلٰكِنَّ ٱللَّهَ أَعَانَنِي عَلَيْهِ فَأَسْلَمَ**».

3967 ـ أَخْبَرَنِي إِبْرَاهِيمُ بْنُ الْحَسَنِ الْمِقْسَمِيُّ عَنْ حَجَّاجٍ عَنِ ٱبْنِ جُرَيْجٍ عَنْ عَطَاءٍ. أَخْبَرَنِي ٱبْنُ أَبِي مُلَيْكَةَ عَنْ عَائِشَةَ قَالَتْ: «فَقَدْتُ رَسُولَ ٱللَّهِ ﷺ ذَاتَ لَيْلَةٍ فَظَنَنْتُ أَنَّهُ ذَهَبَ إِلَى بَعْضِ نِسَائِهِ فَتَجَسَّسْتُهُ فَإِذَا هُوَ رَاكِعٌ أَوْ سَاجِدٌ يَقُولُ سُبْحَانَكَ وَبِحَمْدِكَ لاَ إِلٰهَ إِلاَّ أَنْتَ فَقُلْتُ بِأَبِي وَأُمِّي إِنَّكَ لَفِي شَأْنٍ وَإِنِّي لَفِي شَأْنٍ آخَرَ».

3968 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا ٱبْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي ٱبْنُ أَبِي مُلَيْكَةَ أَنَّ عَائِشَةَ قَالَتْ: «ٱفْتَقَدْتُ رَسُولَ ٱللَّهِ ﷺ ذَاتَ لَيْلَةٍ فَظَنَنْتُ أَنَّهُ ذَهَبَ إِلَى بَعْضِ نِسَائِهِ فَتَجَسَّسْتُ ثُمَّ رَجَعْتُ فَإِذَا هُوَ رَاكِعٌ أَوْ سَاجِدٌ يَقُولُ سُبْحَانَكَ وَبِحَمْدِكَ لاَ إِلٰهَ إِلاَّ أَنْتَ فَقُلْتُ بِأَبِي وَأُمِّي إِنَّكَ لَفِي شَأْنٍ وَإِنِّي لَفِي آخَرَ».

3969- It is narrated on the authority of Muhammad Ibn Qais Ibn Makhramah that he said: I heard A'ishah having said: Would I not narrate to you about myself and about The Messenger of Allah "Allah's blessing and peace be upon him"? We said: Yes. She said: When it was my turn for The Messenger of Allah "Allah's blessing and peace be upon him" to spend the night with me, he returned (from Isha prayer), put off his mantle and took off his shoes which he put near his feet, and spread (the corner of) his shawl on his bed and then lay down. He kept lying until he thought that I slept. He put on the shoes slowly, took his garment slowly, opened the door, went out and then closed it lightly. I covered my head, put on my veil , tightened my waist sheet, and then followed him until he reached Baqi, where he raised his hands thrice and stood for a long time. Then, he returned and I also returned. He hastened his steps and I also hastened mine. He ran and so did I. He came (to the house) and so did I. I preceded him and entered (the house). As soon as I had lain down, he entered (the house) and said: "What is the reason O A'ishah, that you are out of breath?" I said: "There is nothing." He said: "Either you should tell me or (Allah) the Clever, the Well-Aware would tell me." I said: "O Messenger of Allah! Let my father and mother be sacrificed for you!" I told him (what had happened). He said: "Were you that person I saw in front of me?" I answered in the affirmative. He pushed me in my chest, which pained me. Then he said: "Did you think that Allah and His Messenger would wrong you?" She said: "Whatever people conceal, Allah will know it." He said: "Gabriel "Peace be upon him" came to me when you saw me, and he was not to enter into you since you put off your dress. He called me and he hid it from you. I answered him, and I hid it from you. I thought that you had slept, and I (disliked to awaken you, for) fear that you may be frightened. He (Gabriel) ordered me to go to the inhabitants of (the graves of) Baqi and ask for (Allah's) forgiveness for them."

3970- It is narrated on the authority of Muhammad Ibn Qais Ibn Makhramah that he said: I heard A'ishah having said: Would I not narrate to you about myself and about The Messenger of Allah "Allah's blessing and peace be upon him"? We said: Yes. She said: When it was my turn for The Messenger of Allah "Allah's blessing and peace be upon him" to spend the night with me, he returned (from Isha prayer), put off his mantle and took off his shoes which he put near his feet, and spread (the corner of) his shawl on his bed and then lay down. He kept lying until he thought that I slept. He put on the shoes slowly, took his garment slowly, opened the door, went out and then closed it lightly. I covered my head, put on my veil , tightened my waist sheet, and then followed him until he reached Baqi, where he raised his hands thrice and stood for a long time. Then, he returned and I also returned.

3969 ـ أَخْبَرَنَا سُلَيْمَانُ بْنُ دَاوُدَ قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي ٱبْنُ جُرَيْجٍ عَنْ عَبْدِ ٱللَّهِ بْنِ كَثِيرٍ أَنَّهُ سَمِعَ مُحَمَّدَ بْنَ قَيْسٍ يَقُولُ سَمِعْتُ عَائِشَةَ تَقُولُ: أَلاَ أُحَدِّثُكُمْ عَنِ النَّبِيِّ ﷺ وَعَنِّي؟ قُلْنَا: بَلَى قَالَتْ: لَمَّا كَانَتْ لَيْلَتِي ٱنْقَلَبَ فَوَضَعَ نَعْلَيْهِ عِنْدَ رِجْلَيْهِ وَوَضَعَ رِدَاءَهُ وَبَسَطَ إِزَارَهُ عَلَى فِرَاشِهِ وَلَمْ يَلْبَثْ إِلاَّ رَيْثَمَا ظَنَّ أَنِّي قَدْ رَقَدْتُ ثُمَّ ٱنْتَعَلَ رُوَيْداً وَأَخَذَ رِدَاءَهُ رُوَيْداً ثُمَّ فَتَحَ الْبَابَ رُوَيْداً وَخَرَجَ وَأَجَافَهُ رُوَيْداً وَجَعَلْتُ دِرْعِي فِي رَأْسِي فَٱخْتَمَرْتُ وَتَقَنَّعْتُ إِزَارِي وَٱنْطَلَقْتُ فِي إِثْرِهِ حَتَّى جَاءَ الْبَقِيعَ فَرَفَعَ يَدَيْهِ ثَلاَثَ مَرَّاتٍ وَأَطَالَ الْقِيَامَ ثُمَّ ٱنْحَرَفَ وَٱنْحَرَفْتُ فَأَسْرَعَ فَأَسْرَعْتُ فَهَرْوَلَ فَهَرْوَلْتُ فَأَحْضَرَ فَأَحْضَرْتُ وَسَبَقْتُهُ فَدَخَلْتُ وَلَيْسَ إِلاَّ أَنِ ٱضْطَجَعْتُ فَدَخَلَ فَقَالَ: «**مَا لَكِ يَا عَائِشُ رَابِيَةً؟**» قَالَ سُلَيْمَانُ: حَسِبْتُهُ قَالَ: حَشْيَا قَالَ: لَتُخْبِرَنِّي أَوْ لَيُخْبِرَنِّي اللَّطِيفُ الْخَبِيرُ قُلْتُ يَا رَسُولَ ٱللَّهِ بِأَبِي أَنْتَ وَأُمِّي فَأَخْبَرْتُهُ الْخَبَرَ قَالَ: «**أَنْتِ السَّوَادُ الَّذِي رَأَيْتُ أَمَامِي**» قُلْتُ: نَعَمْ قَالَتْ: فَلَهَدَنِي لَهْدَةً فِي صَدْرِي أَوْجَعَتْنِي قَالَ: «**أَظَنَنْتِ أَنْ يَحِيفَ ٱللَّهُ عَلَيْكِ وَرَسُولُهُ؟**» قَالَتْ: مَهْمَا يَكْتُمُ النَّاسُ فَقَدْ عَلِمَهُ ٱللَّهُ عَزَّ وَجَلَّ قَالَ: «**نَعَمْ**» قَالَ: «**فَإِنَّ جِبْرِيلَ عَلَيْهِ السَّلاَمُ أَتَانِي حِينَ رَأَيْتِ وَلَمْ يَكُنْ يَدْخُلُ عَلَيْكِ وَقَدْ وَضَعْتِ ثِيَابَكِ فَنَادَانِي فَأَخْفَى مِنْكِ فَأَجَبْتُهُ وَأَخْفَيْتُهُ مِنْكِ وَظَنَنْتُ أَنَّكِ قَدْ رَقَدْتِ فَكَرِهْتُ أَنْ أُوقِظَكِ وَخَشِيتُ أَنْ تَسْتَوْحِشِي فَأَمَرَنِي أَنْ آتِيَ أَهْلَ الْبَقِيعِ فَأَسْتَغْفِرَ لَهُمْ**» خَالَفَهُ حَجَّاجُ بْنُ مُحَمَّدٍ فَقَالَ عَنِ ٱبْنِ جُرَيْجٍ عَنِ ٱبْنِ أَبِي مُلَيْكَةَ عَنْ مُحَمَّدِ بْنِ قَيْسٍ.

3970 ـ حَدَّثَنَا يُوسُفُ بْنُ سَعِيدِ بْنِ مُسْلِمٍ الْمِصِّيصِيُّ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ أَخْبَرَنِي عَبْدُ ٱللَّهِ بْنُ أَبِي مُلَيْكَةَ أَنَّهُ سَمِعَ مُحَمَّدَ بْنَ قَيْسِ بْنِ مَخْرَمَةَ يَقُولُ: سَمِعْتُ عَائِشَةَ تُحَدِّثُ قَالَتْ: أَلاَ أُحَدِّثُكُمْ عَنِّي وَعَنِ النَّبِيِّ ﷺ؟ قُلْنَا: بَلَى قَالَتْ: لَمَّا كَانَتْ لَيْلَتِي الَّتِي هُوَ عِنْدِي تَعْنِي النَّبِيَّ ﷺ ٱنْقَلَبَ فَوَضَعَ نَعْلَيْهِ عِنْدَ رِجْلَيْهِ وَوَضَعَ رِدَاءَهُ وَبَسَطَ طَرَفَ إِزَارِهِ عَلَى فِرَاشِهِ فَلَمْ يَلْبَثْ إِلاَّ رَيْثَمَا ظَنَّ أَنِّي قَدْ رَقَدْتُ ثُمَّ ٱنْتَعَلَ رُوَيْداً وَأَخَذَ رِدَاءَهُ رُوَيْداً ثُمَّ فَتَحَ الْبَابَ رُوَيْداً وَخَرَجَ وَأَجَافَهُ رُوَيْداً وَجَعَلْتُ دِرْعِي فِي رَأْسِي وَٱخْتَمَرْتُ وَتَقَنَّعْتُ إِزَارِي فَانْطَلَقْتُ فِي إِثْرِهِ حَتَّى جَاءَ الْبَقِيعَ فَرَفَعَ يَدَيْهِ ثَلاَثَ مَرَّاتٍ وَأَطَالَ الْقِيَامَ ثُمَّ ٱنْحَرَفَ فَٱنْحَرَفْتُ فَأَسْرَعَ فَأَسْرَعْتُ

He hastened his steps and I also hastened mine. He ran and so did I. He came (to the house) and so did I. I preceded him and entered (the house). As soon as I had lain down, he entered (the house) and said: "What is the reason O A'ishah, that you are out of breath?" I said: "There is nothing." He said: "Either you should tell me or (Allah) the Clever, the Well-Aware would tell me." I said: "O Messenger of Allah! Let my father and mother be sacrificed for you!" I told him (what had happened). He said: "Were you that person I saw in front of me?" I answered in the affirmative. He pushed me in my chest, which pained me. Then he said: "Did you think that Allah and His Messenger would wrong you?" She said: "Whatever people conceal, Allah will know it." He said: "Gabriel "Peace be upon him" came to me when you saw me, and he was not to enter into you since you put off your dress. He called me and he hid it from you. I answered him, and I hid it from you. I thought that you had slept, and I disliked to awaken you, for fear that you may be frightened. He (Gabriel) ordered me to go to the inhabitants of (the graves of) Baqi and ask for (Allah's) forgiveness for them."

3971- It is narrated on the authority of A'ishah that she said: I missed The Messenger of Allah "Allah's blessing and peace be upon him" on one night...and the rest is the same.

فَهَرْوَلَ فَهَرْوَلْتُ فَأَحْضَرَ فَأَحْضَرْتُ وَسَبَقْتُهُ فَدَخَلْتُ فَلَيْسَ إِلاَّ أَنِ ٱضْطَجَعْتُ فَدَخَلَ فَقَالَ: «مَا لَكِ يَا عَائِشَةُ حَشْيَا رَيْبَةٌ؟» قَالَتْ: لاَ قَالَ: «لَتُخْبِرِنِّي أَوْ لَيُخْبِرَنِّي ٱللَّطِيفُ الْخَبِيرُ» قُلْتُ: يَا رَسُولَ ٱللَّهِ بِأَبِي أَنْتَ وَأُمِّي فَأَخْبَرْتُهُ الْخَبَرَ قَالَ: «فَأَنْتِ السَّوَادُ الَّذِي رَأَيْتُهُ أَمَامِي؟» قَالَتْ: نَعَمْ قَالَتْ: فَلَهَدَنِي فِي صَدْرِي لَهْدَةً أَوْجَعَتْنِي ثُمَّ قَالَ: «أَظَنَنْتِ أَنْ يَحِيفَ ٱللَّهُ عَلَيْكِ وَرَسُولُهُ؟» قَالَتْ: مَهْمَا يَكْتُمُ النَّاسُ فَقَدْ عَلِمَهُ ٱللَّهُ قَالَ: «نَعَمْ» قَالَ: «فَإِنَّ جِبْرِيلَ عَلَيْهِ السَّلاَمُ أَتَانِي حِينَ رَأَيْتِ وَلَمْ يَكُنْ يَدْخُلُ عَلَيْكِ وَقَدْ وَضَعْتِ ثِيَابَكِ فَنَادَانِي فَأَخْفَى مِنْكِ فَأَجَبْتُهُ فَأَخْفَيْتُ مِنْكِ فَظَنَنْتُ أَنْ قَدْ رَقَدْتِ وَخَشِيتُ أَنْ تَسْتَوْحِشِي فَأَمَرَنِي أَنْ آتِيَ أَهْلَ الْبَقِيعِ فَأَسْتَغْفِرَ لَهُمْ» رَوَاهُ عَاصِمٌ عَنْ عَبْدِ ٱللَّهِ بْنِ عَامِرٍ عَنْ عَائِشَةَ عَلَى غَيْرِ هٰذَا اللَّفْظِ.

3971 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا شَرِيكٌ عَنْ عَاصِمٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ عَنْ عَائِشَةَ قَالَتْ: فَقَدْتُهُ مِنَ اللَّيْلِ، وَسَاقَ الْحَدِيثَ.

(38) THE BOOK OF PROHIBITION OF BLOOD

It is unlawful for a Muslim to shed the blood of another with no just cause; and even if there is a just cause to do so legally, this matter is up to the authority, and not to the individuals to do that by themselves.

[1]

3972- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah) to fight the pagans until they bear testimony to the fact that there is no god (to be worshipped) but Allah, and that Muhammad is His servant and Messenger: if they bear testimony to the fact that there is no god (to be worshipped) but Allah, and that Muhammad is His servant and Messenger, offer (the obligatory) prayers like us, face our Qiblah (in their prayers), and eat the (meat of the) slaughtered animals slain in accordance with our way, then, their blood and property should become unlawful for us, except legally."

3973- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah) to fight the people until they bear testimony to the fact that there is no god (to be worshipped) but Allah, and that Muhammad is the Messenger of Allah: if they bear testimony to the fact that there is no god (to be worshipped) but Allah, and that Muhammad is the Messenger of Allah, face our Qiblah (in their prayers), eat the (meat of the) slaughtered animals slain in accordance with our way, and offer (the obligatory) prayers like us, then, their blood and property should become unlawful for us, except legally, and in this way they come to have whatever rights the Muslims have, and bear whatever obligations the Muslims bear."

3974- It is narrated on the authority of Maimun Ibn Siyah that he asked Anas Ibn Malik: "O Abu Hamzah! What should make unlawful the blood and property of a Muslim?" he said: "He, who bears testimony to the fact that there is no god (to be worshipped) but Allah, and that Muhammad is the Messenger of Allah, face our Qiblah (in their prayers), offer (the obligatory) prayers like us, and eat the (meat of the) slaughtered animals slain in accordance with our way, then, he is then a Muslim, who has whatever rights the Muslims have, and bears whatever obligations the Muslims bear."

3975- It is narrated on the authority of Anas Ibn Malik that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" died and some Arabs renegaded (reverted to disbelief, and Abu Bakr decided

(38) ـ كِتَابُ تَحْرِيمِ الدَّمِ

(1) ـ [بابٌ]

3972 ـ أَخْبَرَنَا هَارُونُ بْنُ مُحَمَّدِ بْنِ بَكَّارِ بْنِ بِلاَلٍ عَنْ مُحَمَّدِ بْنِ عِيسَى وَهُوَ ٱبْنُ سُمَيْعٍ قَالَ: حَدَّثَنَا حُمَيْدٌ الطَّوِيلُ عَنْ أَنَسِ بْنِ مَالِكٍ عَنِ النَّبِيِّ ﷺ قَالَ: «**أُمِرْتُ أَنْ أُقَاتِلَ الْمُشْرِكِينَ حَتَّى يَشْهَدُوا أَنْ لاَ إِلَٰهَ إِلاَّ ٱللَّهُ وَأَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ فَإِذَا شَهِدُوا أَنْ لاَ إِلَٰهَ إِلاَّ ٱللَّهُ وَأَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ وَصَلَّوْا صَلاَتَنَا وَٱسْتَقْبَلُوا قِبْلَتَنَا وَأَكَلُوا ذَبَائِحَنَا فَقَدْ حَرُمَتْ عَلَيْنَا دِمَاؤُهُمْ وَأَمْوَالُهُمْ إِلاَّ بِحَقِّهَا**».

3973 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ حَاتِمِ بْنِ نُعَيْمٍ قَالَ: أَنْبَأَنَا حَبَّانُ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ عَنْ حُمَيْدِ بْنِ الطَّوِيلِ عَنْ أَنَسِ بْنِ مَالِكٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَشْهَدُوا أَنْ لاَ إِلَٰهَ إِلاَّ ٱللَّهُ وَأَنَّ مُحَمَّداً رَسُولُ ٱللَّهِ، فَإِذَا شَهِدُوا أَنْ لاَ إِلَٰهَ إِلاَّ ٱللَّهُ وَأَنَّ مُحَمَّداً رَسُولُ ٱللَّهِ وَٱسْتَقْبَلُوا قِبْلَتَنَا وَأَكَلُوا ذَبِيحَتَنَا وَصَلَّوْا صَلاَتَنَا، فَقَدْ حَرُمَتْ عَلَيْنَا دِمَاؤُهُمْ وَأَمْوَالُهُمْ إِلاَّ بِحَقِّهَا لَهُمْ مَا لِلْمُسْلِمِينَ وَعَلَيْهِمْ مَا عَلَيْهِمْ**».

3974 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ الأَنْصَارِيُّ قَالَ: أَنْبَأَنَا حُمَيْدٌ قَالَ: سَأَلَ مَيْمُونُ بْنُ سِيَاهٍ أَنَسَ بْنَ مَالِكٍ قَالَ: «يَا أَبَا حَمْزَةَ مَا يُحَرِّمُ دَمَ الْمُسْلِمِ وَمَالَهُ؟ فَقَالَ: مَنْ شَهِدَ أَنْ لاَ إِلَٰهَ إِلاَّ ٱللَّهُ وَأَنَّ مُحَمَّداً رَسُولُ ٱللَّهِ وَٱسْتَقْبَلَ قِبْلَتَنَا وَصَلَّى صَلاَتَنَا وَأَكَلَ ذَبِيحَتَنَا فَهُوَ مُسْلِمٌ لَهُ مَا لِلْمُسْلِمِينَ وَعَلَيْهِ مَا عَلَى الْمُسْلِمِينَ».

3975 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا عَمْرُو بْنُ عَاصِمٍ قَالَ: حَدَّثَنَا عِمْرَانُ أَبُو الْعَوَّامِ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: لَمَّا تُوُفِّيَ

to declare war against them), Umar said: "O Abu Bakr! How can you fight the Arabs?" Abu Bakr said: "The Messenger of Allah "Allah's blessing and peace be upon him" said: "I have been ordered (by Allah) to fight the people till they bear testimony to the fact that There is no god (to be worshipped) but Allah, and that I'm the Messenger of Allah, establish the obligatory prayer and give the regular charity." By Allah! If they refuse to pay me even a she-kid which they used to give at the time of The Messenger of Allah "Allah's blessing and peace be upon him", I would fight with them for it." Umar said: "When I saw that (the chest of) Abu Bakr was expanded to his decision, I came to know that his decision was right."

3976- It is narrated on the authority of Abu Hurairah that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" died and Abu Bakr became the caliph some Arabs renegaded (reverted to disbelief, and Abu Bakr decided to declare war against them), Umar said: "O Abu Bakr! How can you fight with these people although The Messenger of Allah "Allah's blessing and peace be upon him" said: "I have been ordered (by Allah) to fight the people till they say: "There is no god (to be worshipped) but Allah", and whoever says it has indeed saved his life and property from me except legally (i.e. on trespassing the law, rights and conditions for which he will be punished justly), and his account will be with Allah"?" Abu Bakr said: "By Allah! I will fight those who differentiate between prayer and obligatory charity. By Allah! If they refuse to pay me even a she-kid which they used to pay at the time of The Messenger of Allah "Allah's blessing and peace be upon him", I would fight with them for withholding it." Umar said: "By Allah, it was nothing but I saw that Allah opened Abu Bakr's chest towards the decision to fight that I came to know that his decision was right."

3977- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah Almighty) to fight the people until they say that "there is no god (to be worshipped) but Allah": if they say that, they will protect their blood and property from me except legally, and their reckoning will be with Allah." When it was the time of apostasy, Umar said to Abu Bakr: "Should you fight them, even though you have heard The Messenger of Allah "Allah's blessing and peace be upon him" saying such and such?" he said: "By Allah! I'm not to differentiate between obligatory prayer and regular charity, and I'm going to fight such as differentiates between them." We then fought beside him, and came to know that his decision was right.

رَسُولُ ٱللَّهِ ﷺ ٱرْتَدَّتِ الْعَرَبُ فَقَالَ عُمَرُ: يَا أَبَا بَكْرٍ كَيْفَ تُقَاتِلُ الْعَرَبَ فَقَالَ أَبُو بَكْرٍ: إِنَّمَا قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَشْهَدُوا أَنْ لاَ إِلَهَ إِلاَّ ٱللَّهُ وَأَنِّي رَسُولُ ٱللَّهِ وَيُقِيمُوا الصَّلاَةَ وَيُؤْتُوا الزَّكَاةَ»**. وَٱللَّهِ لَوْ مَنَعُونِي عَنَاقاً مِمَّا كَانُوا يُعْطُونَ رَسُولَ ٱللَّهِ ﷺ لَقَاتَلْتُهُمْ عَلَيْهِ قَالَ عُمَرُ: فَلَمَّا رَأَيْتُ رَأْيَ أَبِي بَكْرٍ قَدْ شُرِحَ عَلِمْتُ أَنَّهُ الْحَقُّ.

3976 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا اللَّيْثُ عَنْ عُقَيْلٍ عَنِ الزُّهْرِيِّ أَخْبَرَنِي عُبَيْدُ ٱللَّهِ بْنُ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: لَمَّا تُوُفِّيَ رَسُولُ ٱللَّهِ ﷺ وَٱسْتُخْلِفَ أَبُو بَكْرٍ وَكَفَرَ مَنْ كَفَرَ مِنَ الْعَرَبِ قَالَ عُمَرُ لأَبِي بَكْرٍ: كَيْفَ تُقَاتِلُ النَّاسَ؟ وَقَدْ قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَمَنْ قَالَ: لاَ إِلَهَ إِلاَّ ٱللَّهُ عَصَمَ مِنِّي مَالَهُ وَنَفْسَهُ إِلاَّ بِحَقِّهِ وَحِسَابُهُ عَلَى ٱللَّهِ»**. قَالَ أَبُو بَكْرٍ: وَٱللَّهِ لأُقَاتِلَنَّ مَنْ فَرَّقَ بَيْنَ الصَّلاَةِ وَالزَّكَاةِ فَإِنَّ الزَّكَاةَ حَقُّ الْمَالِ وَٱللَّهِ لَوْ مَنَعُونِي عِقَالاً كَانُوا يُؤَدُّونَهُ إِلَى رَسُولِ ٱللَّهِ ﷺ لَقَاتَلْتُهُمْ عَلَى مَنْعِهِ قَالَ عُمَرُ: فَوَٱللَّهِ مَا هُوَ إِلاَّ أَنِّي رَأَيْتُ ٱللَّهَ شَرَحَ صَدْرَ أَبِي بَكْرٍ لِلْقِتَالِ فَعَرَفْتُ أَنَّهُ الْحَقُّ.

3977 ـ أَخْبَرَنَا زِيَادُ بْنُ أَيُّوبَ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ يَزِيدَ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ عُبَيْدِ ٱللَّهِ بْنِ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَإِذَا قَالُوهَا فَقَدْ عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلاَّ بِحَقِّهَا وَحِسَابُهُمْ عَلَى ٱللَّهِ»** فَلَمَّا كَانَتِ الرِّدَّةُ قَالَ عُمَرُ لأَبِي بَكْرٍ: أَتُقَاتِلُهُمْ وَقَدْ سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ كَذَا وَكَذَا؟ فَقَالَ: وَٱللَّهِ لاَ أُفَرِّقُ بَيْنَ الصَّلاَةِ وَالزَّكَاةِ وَلأُقَاتِلَنَّ مَنْ فَرَّقَ بَيْنَهُمَا، فَقَاتَلْنَا مَعَهُ فَرَأَيْنَا ذٰلِكَ رُشْداً.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: سُفْيَانُ فِي الزُّهْرِيِّ لَيْسَ بِالْقَوِيِّ وَهُوَ سُفْيَانُ بْنُ حُسَيْنٍ.

3978- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah Almighty) to fight the people until they say that "there is no god (to be worshipped) but Allah": whoever says "There is no god (to be worshipped) but Allah" has protected his own soul and property from me except legally, and his reckoning will be with Allah."

3979- It is narrated on the authority of Abu Hurairah that he said: When The Messenger of Allah "Allah's blessing and peace be upon him" died and Abu Bakr became the caliph and some Arabs renegaded (reverted to disbelief, and Abu Bakr decided to declare war against them), Umar said: "O Abu Bakr! How can you fight with these people although The Messenger of Allah "Allah's blessing and peace be upon him" said: "I have been ordered (by Allah) to fight the people till they say: "There is no god (to be worshipped) but Allah", and whoever say "There is no god (to be worshipped) but Allah", has indeed saved his life and property from me except legally (i.e. on trespassing the law, rights and conditions for which he will be punished justly), and his account will be with Allah"?" Abu Bakr said: "By Allah! I will fight those who differentiate between prayer and obligatory charity. No doubt, the obligatory charity is the right due upon the property. By Allah! If they refuse to pay me even a she-kid which they used to pay at the time of The Messenger of Allah "Allah's blessing and peace be upon him", I would fight with them for withholding it." Umar said: "By Allah, it was nothing but I saw that Allah opened Abu Bakr's chest towards the decision to fight that I came to know that his decision was right."

3980- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah Almighty) to fight the people until they say that "there is no god (to be worshipped) but Allah": whoever says it has protected his own soul and property from me except legally, and his reckoning will be with Allah Almighty."

3981- It is narrated on the authority of Abu Hurairah that he said: When Abu Bakr mobilized the forces to fight those (apostates) Umar said: "O Abu Bakr! How can you fight with these people although The Messenger of Allah "Allah's blessing and peace be upon him" said: "I have been ordered (by Allah) to fight the people till they say: "There is no god (to be worshipped) but Allah", and once they say it they will have protected their own souls and property from me except legally (on trespassing the law, rights and conditions for which they will be punished justly)"?" Abu Bakr said: "I will fight those who differentiate between prayer and obligatory

3978 ـ قَالَ الْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ عَنِ ٱبْنِ وَهْبٍ قَالَ: أَخْبَرَنِي يُونُسُ عَنِ ٱبْنِ شِهَابٍ قَالَ: حَدَّثَنِي سَعِيدُ بْنُ الْمُسَيَّبِ أَنَّ أَبَا هُرَيْرَةَ أَخْبَرَهُ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَمَنْ قَالَ: لاَ إِلَهَ إِلاَّ ٱللَّهُ عَصَمَ مِنِّي مَالَهُ وَنَفْسَهُ إِلاَّ بِحَقِّهِ وَحِسَابُهُ عَلَى ٱللَّهِ عَزَّ وَجَلَّ**» جَمَعَ شُعَيْبُ بْنُ أَبِي حَمْزَةَ الْحَدِيثَيْنِ جَمِيعاً.

3979 ـ أَخْبَرَنَا أَحْمَدُ بْنُ مُحَمَّدِ بْنِ الْمُغِيرَةِ قَالَ: حَدَّثَنَا عُثْمَانُ عَنْ شُعَيْبٍ عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ عَبْدِ ٱللَّهِ بْنِ عُتْبَةَ أَنَّ أَبَا هُرَيْرَةَ قَالَ: لَمَّا تُوُفِّيَ رَسُولُ ٱللَّهِ ﷺ وَكَانَ أَبُو بَكْرٍ بَعْدَهُ وَكَفَرَ مَنْ كَفَرَ مِنَ الْعَرَبِ قَالَ عُمَرُ: يَا أَبَا بَكْرٍ كَيْفَ تُقَاتِلُ النَّاسَ وَقَدْ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَمَنْ قَالَ: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَقَدْ عَصَمَ مِنِّي مَالَهُ وَنَفْسَهُ إِلاَّ بِحَقِّهِ وَحِسَابُهُ عَلَى ٱللَّهِ عَزَّ وَجَلَّ**»؟. قَالَ أَبُو بَكْرٍ: لأُقَاتِلَنَّ مَنْ فَرَّقَ بَيْنَ الصَّلاَةِ والزَّكَاةِ فَإِنَّ الزَّكَاةَ حَقُّ الْمَالِ فَوَٱللَّهِ لَوْ مَنَعُونِي عَنَاقاً كَانُوا يُؤَدُّونَهَا إِلَى رَسُولِ ٱللَّهِ ﷺ لَقَاتَلْتُهُمْ عَلَى مَنْعِهَا قَالَ عُمَرُ: فَوَٱللَّهِ مَا هُوَ إِلاَّ أَنْ رَأَيْتُ ٱللَّهَ شَرَحَ صَدْرَ أَبِي بَكْرٍ لِلْقِتَالِ فَعَرَفْتُ أَنَّهُ الْحَقُّ.

3980 ـ أَخْبَرَنَا أَحْمَدُ بْنُ مُحَمَّدِ بْنِ الْمُغِيرَةِ قَالَ: حَدَّثَنَا عُثْمَانُ عَنْ شُعَيْبٍ عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنِي سَعِيدُ بْنُ الْمُسَيَّبِ أَنَّ أَبَا هُرَيْرَةَ أَخْبَرَهُ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَمَنْ قَالَهَا: فَقَدْ عَصَمَ مِنِّي نَفْسَهُ وَمَالَهُ إِلاَّ بِحَقِّهِ وَحِسَابُهُ عَلَى ٱللَّهِ**» خَالَفَهُ الْوَلِيدُ بْنُ مُسْلِمٍ.

3981 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا مُؤَمَّلُ بْنُ الْفَضْلِ قَالَ: حَدَّثَنَا الْوَلِيدُ قَالَ: حَدَّثَنِي شُعَيْبُ بْنُ أَبِي حَمْزَةَ وَسُفْيَانُ بْنُ عُيَيْنَةَ وَذَكَرَ آخَرَ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ أَبِي هُرَيْرَةَ قَالَ: فَأَجْمَعَ أَبُو بَكْرٍ لِقِتَالِهِمْ فَقَالَ عُمَرُ: يَا أَبَا بَكْرٍ كَيْفَ تُقَاتِلُ النَّاسَ وَقَدْ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَإِذَا قَالُوهَا: عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلاَّ بِحَقِّهَا**»؟ قَالَ أَبُو بَكْرٍ: لأُقَاتِلَنَّ مَنْ فَرَّقَ بَيْنَ الصَّلاَةِ وَالزَّكَاةِ وَٱللَّهِ لَوْ

charity. By Allah! If they refuse to pay me even a she-kid which they used to pay at the time of The Messenger of Allah "Allah's blessing and peace be upon him", I would fight with them for withholding it." Umar said: "By Allah, it was nothing, but I saw that Allah Almighty expanded Abu Bakr's chest towards the decision to fight those (apostates) that I came to know that his decision was right."

3982- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah Almighty) to fight the people until they say that "there is no god (to be worshipped) but Allah": once they say it they will have protected their blood and property from me except legally, and their reckoning will be with Allah Almighty."

3983- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah Almighty) to fight the people until they say that "there is no god (to be worshipped) but Allah": once they say it they will have protected their blood and property from me except legally, and their reckoning will be with Allah Almighty."

3984- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "We should fight the people until they say that "there is no god (to be worshipped) but Allah": once they say "there is no god (to be worshipped) but Allah", their blood and property will have unlawful for us except legally, and their reckoning will be with Allah Almighty."

3985- It is narrated on the authority of An-Nu'man Ibn Bashir that he said: We were with The Messenger of Allah "Allah's blessing and peace be upon him" when a man came to him and talked to him in secrecy, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill him!" then he said: "Does he bear witness to the fact that there is no god (to be worshipped) but Allah Almighty?" He said: "Yes (he bears testimony to that). But he says so by way of seeking refuge (from being killed)." On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not kill him, for indeed, I've been commanded (by Allah Almighty) to fight the people until they say that "there is no god (to be worshipped) but Allah": once they say it they will have protected their blood and property from me except legally, and their reckoning will be with Allah Almighty."

3986- It is narrated on the authority of An-Nu'man Ibn Salim from a man that he told him: Once, The Messenger of Allah "Allah's blessing and peace

مَنَعُونِي عَنَاقاً كَانُوا يُؤَدُّونَهَا إِلَى رَسُولِ ٱللَّهِ ﷺ لَقَاتَلْتُهُمْ عَلَى مَنْعِهَا قَالَ عُمَرُ: فَوَٱللَّهِ مَا هُوَ إِلاَّ أَنْ رَأَيْتُ ٱللَّهَ قَدْ شَرَحَ صَدْرَ أَبِي بَكْرٍ لِقِتَالِهِمْ فَعَرَفْتُ أَنَّهُ الْحَقُّ.

3982 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ ح. وَأَنْبَأَنَا مُحَمَّدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا أَبُو مُعاوِيَةَ عَنِ الأَعْمَشِ عَنْ أَبِي صَالِحٍ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَإِذَا قَالُوهَا مَنَعُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلاَّ بِحَقِّهَا وَحِسَابُهُمْ عَلَى ٱللَّهِ عَزَّ وَجَلَّ»**.

3983 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا يَعْلَى بْنُ عُبَيْدٍ عَنِ الأَعْمَشِ عَنْ أَبِي سُفْيَانَ عَنْ جَابِرٍ وَعَنْ أَبِي صَالِحٍ عَنْ أَبِي هُرَيْرَةَ قَالاَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَإِذَا قَالُوهَا مَنَعُوا مِنِي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلاَّ بِحَقِّهَا وَحِسَابُهُمْ عَلَى ٱللَّهِ»**.

3984 ـ أَخْبَرَنَا الْقَاسِمُ بْنُ زَكَرِيَّا بْنِ دِينَارٍ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ مُوسَى. حَدَّثَنَا شَيْبَانُ عَنْ عَاصِمٍ عَنْ زِيَادِ بْنِ قَيْسٍ عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«نُقَاتِلُ النَّاسَ حَتَّى يَقُولُوا لاَ إِلَهَ إِلاَّ ٱللَّهُ فَإِذَا قَالُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ حَرُمَتْ عَلَيْنَا دِمَاؤُهُمْ وَأَمْوَالُهُمْ إِلاَّ بِحَقِّهَا وَحِسَابُهُمْ عَلَى ٱللَّهِ»**.

3985 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا الأَسْوَدُ بْنُ عَامِرٍ حَدَّثَنَا إِسْرَائِيلُ عَنْ سِمَاكٍ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ قَالَ: كُنَّا مَعَ النَّبِيِّ ﷺ فَجَاءَ رَجُلٌ فَسَارَّهُ فَقَالَ: **«اقْتُلُوهُ»** ثُمَّ قَالَ: **«أَيَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ ٱللَّهُ؟»** قَالَ: نَعَمْ وَلٰكِنَّمَا يَقُولُهَا تَعَوُّذاً فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ تَقْتُلُوهُ فَإِنَّمَا أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لاَ إِلَهَ إِلاَّ ٱللَّهُ فَإِذَا قَالُوهَا عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلاَّ بِحَقِّهَا وَحِسَابُهُمْ عَلَى ٱللَّهِ»**.

3986 ـ قَالَ عُبَيْدُ ٱللَّهِ: حَدَّثَنَا إِسْرَائِيلُ عَنْ سِمَاكٍ عَنِ النُّعْمَانِ بْنِ سَلاَمٍ عَنْ رَجُلٍ حَدَّثَهُ قَالَ: دَخَلَ عَلَيْنَا رَسُولُ ٱللَّهِ ﷺ وَنَحْنُ فِي قُبَّةٍ فِي مَسْجِدِ الْمَدِينَةِ

be upon him" entered upon us while we were sitting in a tent within the mosque of Medina, and said: " I've been revealed (by Allah Almighty) that I should fight the people until they say that "there is no god (to be worshipped) but Allah": once they say it they will have protected their blood and property from me except legally, and their reckoning will be with Allah Almighty."

3987- It is narrated on the authority of An-Nu'man Ibn Salim that he said: I heard Aws having said: Once, The Messenger of Allah "Allah's blessing and peace be upon him" entered upon us while we were sitting in a tent within the mosque of Medina...and the rest is the same.

3988- It is narrated on the authority of An-Nu'man Ibn Salim that he said: I heard Aws having said: I came to The Messenger of Allah "Allah's blessing and peace be upon him" among the delegate of Thaqif, and I was with him in a tent, and those who were in the tent fell asleep, barring I and he. Then a man came to him and talked to him in secrecy, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Go and Kill him!" then he said: "Does he not bear witness to the fact that there is no god (to be worshipped) but Allah Almighty, and that I'm the Messenger of Allah?" He said: "Yes (he bears testimony to that)." On that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Leave him then." He further said: "I've been commanded (by Allah Almighty) to fight the people until they say that "there is no god (to be worshipped) but Allah": once they say it their blood and property will have unlawful except legally, and their reckoning will be with Allah Almighty." Muhammad said: I asked Shu'bah: is the following statement in the narration: "Does he not bear witness to the fact that there is no god (to be worshipped) but Allah Almighty, and that I'm the Messenger of Allah?" He said: "Yes, I think it is included with it, and I do not know."

3989- It is narrated on the authority of Amr Ibn Aws from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've been commanded (by Allah Almighty) to fight the people until they say that "there is no god (to be worshipped) but Allah": once they say it their blood and property will have unlawful except legally."

3990- It is narrated on the authority of Abu Idris that he said: I heard Mu'awiyah addressing the people, and he hardly related from The Messenger of Allah "Allah's blessing and peace be upon him". He said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "Every sin is expected to be forgiven by Allah Almighty, except when a man kills a faithful believer intentionally, or when a man dies while being in the state of infidelity."

وَقَالَ فِيهِ: «إِنَّهُ أُوحِيَ إِلَيَّ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لاَ إِلَهَ إِلاَّ ٱللَّهُ» نَحْوَهُ.

3987 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا الحَسَنُ بْنُ مُحَمَّدِ بْنِ أَعْيَنَ قَالَ: حَدَّثَنَا زُهَيْرٌ قَالَ: حَدَّثَنَا سِمَاكٌ عَنِ النُّعْمَانِ بْنِ سَالِمٍ قَالَ: سَمِعْتُ أَوْساً يَقُولُ: دَخَلَ عَلَيْنَا رَسُولُ ٱللَّهِ ﷺ وَنَحْنُ فِي قُبَّةٍ. وَسَاقَ الْحَدِيثَ.

3988 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ: قَالَ: حَدَّثَنَا شُعْبَةُ عَنِ النُّعْمَانِ بْنِ سَالِمٍ قَالَ: سَمِعْتُ أَوْساً يَقُولُ أَتَيْتُ رَسُولَ ٱللَّهِ ﷺ فِي وَفْدِ ثَقِيفٍ فَكُنْتُ مَعَهُ فِي قُبَّةٍ فَنَامَ مَنْ كَانَ فِي الْقُبَّةِ غَيْرِي وَغَيْرُهُ فَجَاءَ رَجُلٌ فَسَارَّهُ فَقَالَ: «ٱذْهَبْ فَٱقْتُلْهُ» فَقَالَ: «أَلَيْسَ يَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ ٱللَّهُ وَأَنِّي رَسُولُ ٱللَّهِ؟» قَالَ: يَشْهَدُ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: «ذَرْهُ» ثُمَّ قَالَ: «أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لاَ إِلَهَ إِلاَّ ٱللَّهُ فَإِذَا قَالُوهَا حَرُمَتْ دِمَاؤُهُمْ وَأَمْوَالُهُمْ إِلاَّ بِحَقِّهَا» قَالَ مُحَمَّدٌ: فَقُلْتُ لِشُعْبَةَ: أَلَيْسَ فِي الْحَدِيثِ «أَلَيْسَ يَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ ٱللَّهُ وَأَنِّي رَسُولُ ٱللَّهِ» قَالَ: أَظُنُّهَا مَعَهَا وَلاَ أَدْرِي.

3989 ـ أَخْبَرَنِي هَارُونُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ بَكْرٍ قَالَ: حَدَّثَنَا حَاتِمُ بْنُ أَبِي صَغِيرَةَ عَنِ النُّعْمَانِ بْنِ سَالِمٍ أَنَّ عَمْرَو بْنَ أَوْسٍ أَخْبَرَهُ أَنَّ أَبَاهُ أَوْساً قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَشْهَدُوا أَنْ لاَ إِلَهَ إِلاَّ ٱللَّهُ ثُمَّ تَحْرُمُ دِمَاؤُهُمْ وَأَمْوَالُهُمْ إِلاَّ بِحَقِّهَا».

3990 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا صَفْوَانُ بْنُ عِيسَى عَنْ ثَوْرٍ عَنْ أَبِي عَوْنٍ عَنْ أَبِي إِدْرِيسَ قَالَ: سَمِعْتُ مُعَاوِيَةَ يَخْطُبُ وَكَانَ قَلِيلَ الحَدِيثِ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: سَمِعْتُهُ يَخْطُبُ يَقُولُ سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «كُلُّ ذَنْبٍ عَسَى ٱللَّهُ أَنْ يَغْفِرَهُ إِلاَّ الرَّجُلُ يَقْتُلُ الْمُؤْمِنَ مُتَعَمِّداً أَوِ الرَّجُلُ يَمُوتُ كَافِراً».

3991- It is narrated on the authority of Abdullah (Ibn Mas'ud) that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No soul is killed wrongfully and unjustly but that a portion of its blood will be laid upon the son of Adam (who committed) the first (crime of killing); and that's because he was the first to lay the foundation of killing."

[2] The Grievousness Of The Blood

3992- It is narrated on the authority of Abdullah Ibn Amr Ibn Al-As that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "By Him, in Whose Hand is my soul: killing even a faithful believer is much more grievous, in Allah's Sight, than the vanishing of this world."

3993- It is narrated on the authority of Abdullah Ibn Amr from The Messenger of Allah "Allah's blessing and peace be upon him" that he said: " The vanishing of this world is much easier, in Allah's Sight, than killing even a single Muslim person."

3994- It is narrated on the authority of Abdullah Ibn Amr Ibn Al-As that he said: Killing even a faithful believer is much more grievous, in Allah's Sight, than the vanishing of this world.

3995- It is narrated on the authority of Abdullah Ibn Amr Ibn Al-As that he said: Killing even a faithful believer is much more grievous, in Allah's Sight, than the vanishing of this world.

3996- It is narrated on the authority of Abdullah Ibn Buraidah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Killing even a faithful believer is much more grievous, in Allah's Sight, than the vanishing of this world."

3997- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The first thing for which a servant will be reckoned (on the Day of Judgement) will be the prayer; and the first cases which will be judged among the people will be those of the blood."

3998- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The first cases which will be judged among the people (on the Day of Judgement) will be those of the blood."

3999- It is narrated on the authority of Abdullah that he said: "The first cases to be judged among the people on the Day of Resurrection will be those of the blood."

3991 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ عَنْ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الأَعْمَشِ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ مُرَّةَ عَنْ مَسْرُوقٍ عَنْ عَبْدِ ٱللَّهِ عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ تُقْتَلُ نَفْسٌ ظُلْماً إِلاَّ كَانَ عَلَى ٱبْنِ آدَمَ الأَوَّلِ كِفْلٌ مِنْ دَمِهَا وَذٰلِكَ أَنَّهُ أَوَّلُ مَنْ سَنَّ الْقَتْلَ**».

(2) ـ تَعْظِيمُ الدَّمِ

3992 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مُعَاوِيَةَ بْنِ مَالِجٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ الْحَرَّانِيُّ عَنِ ٱبْنِ إِسْحَاقَ عَنْ إِبْرَاهِيمَ بْنِ مُهَاجِرٍ عَنْ إِسْمَاعِيلَ مَوْلَى عَبْدِ ٱللَّهِ بْنِ عَمْرٍو عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**وَالَّذِي نَفْسِي بِيَدِهِ لَقَتْلُ مُؤْمِنٍ أَعْظَمُ عِنْدَ ٱللَّهِ مِنْ زَوَالِ الدُّنْيَا**».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: إِبْرَاهِيمُ بْنُ الْمُهَاجِرِ لَيْسَ بِالْقَوِيِّ.

3993 ـ أَخْبَرَنَا يَحْيَى بْنُ حَكِيمٍ الْبَصْرِيُّ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي عَدِيٍّ عَنْ شُعْبَةَ عَنْ يَعْلَى بْنِ عَطَاءٍ عَنْ أَبِيهِ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو عَنِ النَّبِيِّ ﷺ قَالَ: «**لَزَوَالُ الدُّنْيَا أَهْوَنُ عِنْدَ اللَّهِ مِنْ قَتْلِ رَجُلٍ مُسْلِمٍ**».

3994 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ عَنْ شُعْبَةَ عَنْ يَعْلَى عَنْ أَبِيهِ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو قَالَ: «**قَتْلُ الْمُؤْمِنِ أَعْظَمُ عِنْدَ ٱللَّهِ مِنْ زَوَالِ الدُّنْيَا**».

3995 ـ أَخْبَرَنَا عَمْرُو بْنُ هَاشِمٍ قَالَ: حَدَّثَنَا مَخْلَدُ بْنُ يَزِيدَ عَنْ سُفْيَانَ عَنْ مَنْصُورٍ عَنْ يَعْلَى بْنِ عَطَاءٍ عَنْ أَبِيهِ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو قَالَ: «**قَتْلُ الْمُؤْمِنِ أَعْظَمُ عِنْدَ ٱللَّهِ مِنْ زَوَالِ الدُّنْيَا**».

3996 ـ أَخْبَرَنَا الْحَسَنُ بْنُ إِسْحَاقَ الْمَرْوَزِيُّ ثِقَةٌ حَدَّثَنِي خَالِدُ بْنُ خِدَاشٍ قَالَ: حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ عَنْ بَشِيرِ بْنِ الْمُهَاجِرِ عَنْ عَبْدِ ٱللَّهِ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**قَتْلُ الْمُؤْمِنِ أَعْظَمُ عِنْدَ ٱللَّهِ مِنْ زَوَالِ الدُّنْيَا**».

3997 ـ أَخْبَرَنَا سَرِيعُ بْنُ عَبْدِ ٱللَّهِ الْوَاسِطِيُّ الْخَصِيُّ قَالَ: حَدَّثَنَا إِسْحَاقُ بْنُ يُوسُفَ الأَزْرَقُ عَنْ شَرِيكٍ عَنْ عَاصِمٍ عَنْ أَبِي وَائِلٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**أَوَّلُ مَا يُحَاسَبُ بِهِ الْعَبْدُ الصَّلاَةُ وَأَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ فِي الدِّمَاءِ**».

3998 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى عَنْ خَالِدٍ حَدَّثَنَا شُعْبَةُ عَنْ سُلَيْمَانَ قَالَ: سَمِعْتُ أَبَا وَائِلٍ يُحَدِّثُ عَنْ عَبْدِ ٱللَّهِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**أَوَّلُ مَا يُحْكَمُ بَيْنَ النَّاسِ فِي الدِّمَاءِ**».

3999 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ عَنْ سُفْيَانَ عَنِ الأَعْمَشِ عَنْ أَبِي وَائِلٍ قَالَ قَالَ عَبْدُ ٱللَّهِ: أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ.

4000- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The first cases to be judged among the people on the Day of Resurrection will be those of the blood."

4001- It is narrated on the authority of Amr Ibn Shurahbil that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The first cases to be judged among the people on the Day of Resurrection will be those of the blood."

4002- It is narrated on the authority of Abdullah that he said: "The first cases to be judged among the people on the Day of Resurrection will be those of the blood."

4003- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(On the Day of Judgement) a man will come, catching hold of the hand of another and say: "O Lord! This man killed me (in the world)." Allah Almighty will say: "Why did you kill him?" he will say: "I killed him in order that both Power and Honour should be for You (Alone)." He then will say: "No doubt, both Power and Honour are for me." A man will come catching hold of the hand of another and say: "This man killed me (in the world)." Allah Almighty will say: "Why did you kill him?" he will say: "I killed him in order that the power should be for so and so." He then will say: "By no means should it be for so and so." In this way, he (the killer) will draw upon himself the sin (of killing him, as well as the sin of the killed one)."

4004- It is narrated on the authority of Jundub from a man that he told him: The Messenger of Allah "Allah's blessing and peace be upon him" said: "On the Day of Judgement, the killed one will bring his killer, and say (to the Lord): "Ask this (man) why had he killed me." He (the killer) will answer: "I had killed him for the power of so and so."" Jundub said: Then, you should safeguard yourself against committing such (a grievous sin)."

4005- It is narrated on the authority of Ibn Abbas that he was asked about a man who killed a faithful believer intentionally, and then he turned to Allah in repentance, affirmed his faith (in Allah and His Messenger) and made amends." On that Ibn Abbas said: How should his repentance be acceptable? No doubt, I heard your Prophet "Allah's blessing and peace be upon him" having said: "He (the killed) will come on the Day of Judgement, hanging by the killer, with his jugular veins bleeding, saying: "O Lord! Ask him why he had killed me!"" by Allah! This Verse was sent down, and no other Verse came to abrogate it."

4000 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَفْصٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنِي إِبْرَاهِيمُ بْنُ طَهْمَانَ عَنِ الأَعْمَشِ عَنْ شَقِيقٍ ثُمَّ ذَكَرَ كَلِمَةً مَعْنَاهَا عَنْ عَمْرِو بْنِ شُرَحْبِيلَ عَنْ عَبْدِ ٱللَّهِ قَالَ: «أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ».

4001 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ أَبِي وَائِلٍ عَنْ عَمْرِو بْنِ شُرَحْبِيلَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أَوَّلُ مَا يُقْضَى فِيهِ بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ»**.

4002 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ قَالَ: حَدَّثَنَا الأَعْمَشُ عَنْ شَقِيقٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ فِي الدِّمَاءِ.

4003 ـ أَخْبَرَنَا إِبْرَاهِيمُ بْنُ الْمُسْتَمِر قَالَ: حَدَّثَنَا عَمْرُو بْنُ عَاصِمٍ قَالَ: حَدَّثَنَا مُعْتَمِرٌ عَنْ أَبِيهِ عَنِ الأَعْمَشِ عَنْ شَقِيقِ بْنِ سَلَمَةَ عَنْ عَمْرِو بْنِ شُرَحْبِيلَ عَنْ عَبْدِ ٱللَّهِ بْنِ مَسْعُودٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«يَجِيءُ الرَّجُلُ آخِذاً بِيَدِ الرَّجُلِ فَيَقُولُ: يَا رَبِّ هٰذَا قَتَلَنِي فَيَقُولُ اللَّهُ لَهُ: لِمَ قَتَلْتَهُ؟ فَيَقُولُ: قَتَلْتُهُ لِتَكُونَ الْعِزَّةُ لَكَ فَيَقُولُ: فَإِنَّهَا لِي وَيَجِيءُ الرَّجُلُ آخِذاً بِيَدِ الرَّجُلِ فَيَقُولُ: إِنَّ هٰذَا قَتَلَنِي فَيَقُولُ ٱللَّهُ لَهُ: لِمَ قَتَلْتَهُ؟ فَيَقُولُ لِتَكُونَ الْعِزَّةُ لِفُلاَنٍ فَيَقُولُ إِنَّهَا لَيْسَتْ لِفُلاَنٍ فَيَبُوءُ بِإِثْمِهِ»**.

4004 ـ أَخْبَرَنَا عَبْدُ ٱللَّهِ بْنُ مُحَمَّدِ بْنِ تَمِيمٍ قَالَ: حَدَّثَنَا حَجَّاجٌ قَالَ: أَخْبَرَنِي شُعْبَةُ عَنْ أَبِي عِمْرَانَ الْجَوْنِيِّ قَالَ: قَالَ جُنْدَبٌ: حَدَّثَنِي فُلاَنٌ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«يَجِيءُ الْمَقْتُولُ بِقَاتِلِهِ يَوْمَ الْقِيَامَةِ فَيَقُولُ: سَلْ هٰذَا فِيمَ قَتَلَنِي؟ فَيَقُولُ: قَتَلْتُهُ عَلَى مُلْكِ فُلاَنٍ»** قَالَ جُنْدَبٌ: «فَاتَّقِهَا».

4005 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمَّارٍ الدُّهْنِيِّ عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ أَنَّ ٱبْنَ عَبَّاسٍ سُئِلَ عَمَّنْ قَتَلَ مُؤْمِناً مُتَعَمِّداً ثُمَّ تَابَ وَآمَنَ وَعَمِلَ صَالِحاً ثُمَّ ٱهْتَدَى فَقَالَ ٱبْنُ عَبَّاسٍ: وَأَنَّى لَهُ التَّوْبَةُ سَمِعْتُ نَبِيَّكُمْ ﷺ يَقُولُ: **«يَجِيءُ مُتَعَلِّقاً بِالْقَاتِلِ تَشْخُبُ أَوْدَاجُهُ دَماً فَيَقُولُ: أَيْ رَبِّ سَلْ هٰذَا فِيمَ قَتَلَنِي؟»** ثُمَّ قَالَ: وَٱللَّهِ لَقَدْ أَنْزَلَهَا ٱللَّهُ ثُمَّ مَا نَسَخَهَا.

4006- It is narrated on the authority of Sa'id Ibn Jubair that he said: The people of Kufah differed about (the significance of) the following Holy Statement: "And he, who kills a faithful believer intentionally..." (An-Nisa 93), thereupon I set out on journey to Ibn Abbas, and when I asked him he said: "It was sent down amongst what was sent down later, and nothing came to abrogate it."

4007- It is narrated on the authority of Sa'id Ibn Jubair that he said: I asked Ibn Abbas: "Is there any repentance to be accepted from such as kills a faithful believer intentionally?" he said: "No." I recited to him the following Holy Verse from the Surah of Al-Furqan: " Those who invoke not, with Allah, any other god, nor slay such life as Allah has made sacred, except for just cause, nor commit fornication, and any that does this (not only) meets punishment... Unless he repents, believes and works righteous deeds, for Allah will change the evil of such persons into good, and Allah is Oft-Forgiving, Most Merciful." (68: 70) on that he said: "This is a Meccan Verse, which was abrogated (in judgement and not in recitation) by the following Medinian Verse: " If a man kills a Believer intentionally, his recompense is Hell, to abide therein (forever): and the wrath and the curse of Allah are upon him, and a dreadful penalty is prepared for him." (An-Nisa 93)

4008- It is narrated on the authority of Sa'id Ibn Jubair that he said: Abd Ar-Rahman Ibn Abu Laila ordered me to ask Ibn Abbas about the following Holy Verse: " If a man kills a Believer intentionally, his recompense is Hell, to abide therein (forever): and the wrath and the curse of Allah are upon him, and a dreadful penalty is prepared for him." (An-Nisa 93) and he said: "Nothing came to abrogate it." He told me to ask him about the following Holy Verse: " Those who invoke not, with Allah, any other god, nor slay such life as Allah has made sacred, except for just cause, nor commit fornication, and any that does this (not only) meets punishment... Unless he repents, believes and works righteous deeds, for Allah will change the evil of such persons into good, and Allah is Oft-Forgiving, Most Merciful." (Al-Furqan 68: 70) he said: "It was revealed in connection with the pagans."

4009- It is narrated on the authority of Ibn Abbas that some people committed killing, in which they transgressed all the due bounds, committed fornication in which they exceeded all the due limits, and violated all taboos. Then, they came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Muhammad! Of a surety that which you are saying, and to which you are calling is good, but if you tell us that there is something to plot out (the sins of) what we've done." On that occasion, Allah Almighty revealed: " Those who invoke not, with Allah, any other god, nor slay such

4006 ـ قَالَ: وَأَخْبَرَنِي أَزْهَرُ بْنُ جَمِيلٍ الْبَصْرِيُّ قَالَ: حَدَّثَنَا خَالِدُ بْنُ الْحَارِثِ قَالَ: حَدَّثَنَا شُعْبَةُ عَنِ الْمُغِيرَةِ بْنِ النُّعْمَانِ عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: اخْتَلَفَ أَهْلُ الْكُوفَةِ فِي هٰذِهِ الآيَةِ ﴿وَمَن يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا﴾» [النساء، الآية: 93] فَرَحَلْتُ إِلَى ابْنِ عَبَّاسٍ فَسَأَلْتُهُ فَقَالَ: «لَقَدْ أُنْزِلَتْ فِي آخِرِ مَا أُنْزِلَ ثُمَّ مَا نَسَخَهَا شَيْءٌ».

4007 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا ابْنُ جُرَيْجٍ قَالَ: حَدَّثَنِي الْقَاسِمُ بْنُ أَبِي بَزَّةَ عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: قُلْتُ لابْنِ عَبَّاسٍ هَلْ لِمَنْ قَتَلَ مُؤْمِناً مُتَعَمِّداً مِنْ تَوْبَةٍ؟ قَالَ: لاَ وَقَرَأْتُ عَلَيْهِ الآيَةَ الَّتِي فِي الْفُرْقَانِ ﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَٰهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ﴾ [الفرقان، الآية: 68] قَالَ: هٰذِهِ آيَةٌ مَكِّيَّةٌ نَسَخَتْهَا آيَةٌ مَدَنِيَّةٌ ﴿وَمَن يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ﴾ [النساء، الآية: 93].

4008 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا مُحَمَّدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ مَنْصُورٍ عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: أَمَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ أَبِي لَيْلَى أَنْ أَسْأَلَ ابْنَ عَبَّاسٍ عَنْ هَاتَيْنِ الآيَتَيْنِ ﴿وَمَن يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ﴾. فَسَأَلْتُهُ فَقَالَ: لَمْ يَنْسَخْهَا شَيْءٌ وَعَنْ هٰذِهِ الآيَةِ ﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَٰهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ﴾. قَالَ: نَزَلَتْ فِي أَهْلِ الشِّرْكِ.

4009 ـ أَخْبَرَنَا حَاجِبُ بْنُ سُلَيْمَانَ الْمَنْبِجِيُّ قَالَ: حَدَّثَنَا ابْنُ أَبِي رَوَّادٍ قَالَ: حَدَّثَنَا ابْنُ جُرَيْجٍ عَنْ عَبْدِ الأَعْلَى الثَّعْلَبِيِّ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ابْنِ عَبَّاسٍ: أَنَّ قَوْماً كَانُوا قَتَلُوا فَأَكْثَرُوا وَزَنَوْا فَأَكْثَرُوا وَانْتَهَكُوا فَأَتَوُا النَّبِيَّ ﷺ قَالُوا: يَا مُحَمَّدُ إِنَّ الَّذِي تَقُولُ وَتَدْعُو إِلَيْهِ لَحَسَنٌ لَوْ تُخْبِرُنَا أَنَّ لِمَا عَمِلْنَا كَفَّارَةً فَأَنْزَلَ اللَّهُ عَزَّ وَجَلَّ ﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَٰهًا آخَرَ﴾ إِلَى

life as Allah has made sacred, except for just cause, nor commit fornication, and any that does this (not only) meets punishment. (But) the Penalty on the Day of Judgment will be doubled to him, and he will dwell therein in ignominy, Unless he repents, believes and works righteous deeds, for Allah will change the evil of such persons into good, and Allah is Oft-Forgiving, Most Merciful." (Al-Furqan 68) i.e. He Almighty will change their infidelity into true faith, and their fornication into chastity. He Almighty revealed too: " Say: "O my Servants who have transgressed against their souls! despair not of the Mercy of Allah: for Allah forgives all sins: for He is Oft-Forgiving, Most Merciful." (Az-Zumar 53)

4010- It is narrated on the authority of Ibn Abbas that some people came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Muhammad! Of a surety that which you are saying, and to which you are calling is good, but if you tell us that there is something to plot out (the sins of) what we've done." On that occasion, Allah Almighty revealed: " Those who invoke not, with Allah, any other god, nor slay such life as Allah has made sacred, except for just cause..." (Al-Furqan 68) He Almighty revealed too: " Say: "O my Servants who have transgressed against their souls! despair not of the Mercy of Allah: for Allah forgives all sins: for He is Oft-Forgiving, Most Merciful." (Az-Zumar 53)

4011- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(On the Day of Judgement) the killed one will bring his killer with both his forelock and head in his hand, and his jugular veins bleeding, and say: "O Lord! He killed me!" (He will keep saying so and moving forward) until he draws him near the Throne (of Authority)." They mentioned to Ibn Abbas the possibility of repentance, thereupon he recited: " If a man kills a Believer intentionally, his recompense is Hell, to abide therein (forever): and the wrath and the curse of Allah are upon him, and a dreadful penalty is prepared for him." (An-Nisa 93) then he said: "It was not abrogated since it was revealed: and how should his repentance be acceptable?"

4012- It is narrated on the authority of Zaid Ibn Thabit that he said: The following Holy Verse: "" If a man kills a Believer intentionally, his recompense is Hell, to abide therein (forever): and the wrath and the curse of Allah are upon him, and a dreadful penalty is prepared for him" (An-Nisa 93) was revealed six month after the Holy Verse of Al-Furqan (i.e. Allah's saying: "Those who invoke not, with Allah, any other god, nor slay such life as Allah has made sacred, except for just cause…" (68)

﴿فَأُوْلَٰٓئِكَ يُبَدِّلُ ٱللَّهُ سَيِّـَٔاتِهِمْ حَسَنَٰتٍۗ﴾. قَالَ: يُبَدِّلُ ٱللَّهُ شِرْكَهُمْ إِيمَاناً وَزِنَاهُمْ إِحْصَاناً وَنَزَلَتْ ﴿قُلْ يَٰعِبَادِيَ ٱلَّذِينَ أَسْرَفُواْ عَلَىٰٓ أَنفُسِهِمْ﴾ [الزمر، 53].

4010 ـ أَخْبَرَنَا الْحَسَنُ بْنُ مُحَمَّدٍ الزَّعْفَرَانِيُّ قَالَ: حَدَّثَنَا حَجَّاجُ بْنُ مُحَمَّدٍ قَالَ ٱبْنُ جُرَيْجٍ: أَخْبَرَنِي يَعْلَى عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ٱبْنِ عَبَّاسٍ: أَنَّ ناساً مِنْ أَهْلِ الشِّرْكِ أَتَوْا مُحَمَّداً فَقَالُوا: إِنَّ الَّذِي تَقُولُ وَتَدْعُو إِلَيْهِ لَحَسَنٌ لَوْ تُخْبِرُنَا أَنَّ لِمَا عَمِلْنَا كَفَارَةً فَنَزَلَتْ ﴿وَٱلَّذِينَ لَا يَدْعُونَ مَعَ ٱللَّهِ إِلَٰهًا ءَاخَرَ﴾ وَنَزَلَتْ ﴿قُلْ يَٰعِبَادِيَ ٱلَّذِينَ أَسْرَفُواْ عَلَىٰٓ أَنفُسِهِمْ﴾.

4011 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا شَبَابَةُ بْنُ سَوَّارٍ قَالَ: حَدَّثَنِي وَرْقَاءُ عَنْ عَمْرٍو عَنِ ٱبْنِ عَبَّاسٍ عَنِ النَّبِيِّ ﷺ قَالَ: «**يَجِيءُ الْمَقْتُولُ بِالْقَاتِلِ يَوْمَ الْقِيَامَةِ نَاصِيَتُهُ وَرَأْسُهُ فِي يَدِهِ وَأَوْدَاجُهُ تَشْخُبُ دَماً يَقُولُ: يَا رَبِّ قَتَلَنِي حَتَّى يُدْنِيَهُ مِنَ الْعَرْشِ**». قَالَ: فَذَكَرُوا لِابْنِ عَبَّاسٍ التَّوْبَةَ فَتَلاَ هٰذِهِ الآيَةَ ﴿وَمَن يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا﴾. قَالَ: مَا نُسِخَتْ مُنْذُ نَزَلَتْ وَأَنَّى لَهُ التَّوْبَةُ.

4012 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا الأَنْصَارِيُّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَمْرٍو عَنْ أَبِي الزِّنَادِ عَنْ خَارِجَةَ بْنِ زَيْدٍ عَنْ زَيْدِ بْنِ ثَابِتٍ قَالَ: نَزَلَتْ هٰذِهِ الآيَةُ ﴿وَمَن يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا فَجَزَآؤُهُ جَهَنَّمُ خَٰلِدًا فِيهَا﴾. الآيَةُ كُلُّهَا بَعْدَ الآيَةِ الَّتِي نَزَلَتْ فِي الْفُرْقَانِ بِسِتَّةِ أَشْهُرٍ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: مُحَمَّدُ بْنُ عَمْرٍو لَمْ يَسْمَعْهُ مِنْ أَبِي الزِّنَادِ.

4013- It is narrated on the authority of Zaid Ibn Thabit that he said: As for the following Holy Verse: "" If a man kills a Believer intentionally, his recompense is Hell, to abide therein (forever): and the wrath and the curse of Allah are upon him, and a dreadful penalty is prepared for him" (An-Nisa 93), it was revealed eight month after the Holy Verse of Al-Furqan, i.e. Allah's saying: "Those who invoke not, with Allah, any other god, nor slay such life as Allah has made sacred, except for just cause..." (68)

4014- It is narrated on the authority of Zaid Ibn Thabit that he said: when the following Holy Verse was revealed: "" If a man kills a Believer intentionally, his recompense is Hell, to abide therein (forever): and the wrath and the curse of Allah are upon him, and a dreadful penalty is prepared for him" (An-Nisa 93), we got afraid thereof, thereupon the following Holy Verse from the Surah of Al-Furqan was revealed: "Those who invoke not, with Allah, any other god, nor slay such life as Allah has made sacred, except for just cause..." (68)

[3] The Major Sins

4015- It is narrated on the authority of Abu Ayyub Al-Ansari that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who will come (on the Day of Judgement), and he has worshipped Allah Alone, and joined not with Him (in service), established the (obligatory) prayer, practiced the regular charity, and avoided the major sins, the Garden will be assured to him." They asked him about the major sins, thereupon The Messenger of Allah "Allah's blessing and peace be upon him" said: "They are to join anything with Allah (in service), to kill a Muslim soul (illegally), and to flee away (from the battlefield) on the day of the fight."

4016- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The major sins are to join anything with Allah (in service), to be unkind and undutiful to one's parents, to kill a soul (illegally), and to say what is false."

4017- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The major sins are to join anything with Allah (in service), to be unkind and undutiful to one's parents, to kill a soul (illegally), and to take a false oath (therewith to deceive others and usurp their rights illegally)."

4018- It is narrated on the authority of Ubaid Ibn Umair from his father, and he was one of the companions of The Messenger of Allah "Allah's blessing and peace be upon him" that a man asked: "O Messenger of Allah!

4013 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ بَشَّارٍ عَنْ عَبْدِ الْوَهَّابِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَمْرٍو عَنْ مُوسَى بْنِ عُقْبَةَ عَنْ أَبِي الزِّنَادِ عَنْ خَارِجَةَ بْنِ زَيْدٍ عَنْ زَيْدٍ فِي قَوْلِهِ ﴿وَمَن يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا فَجَزَآؤُهُ جَهَنَّمُ﴾. قَالَ: نَزَلَتْ هٰذِهِ الآيَةُ بَعْدَ الَّتِي فِي تَبَارَكَ الْفُرْقَانِ بِثَمَانِيَةِ أَشْهُرٍ ﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَٰهًا ءَاخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ﴾.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: أَدْخَلَ أَبُو الزِّنَادِ بَيْنَهُ وَبَيْنَ خَارِجَةَ مُجَالِدَ بْنَ عَوْفٍ.

4014 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ عَنْ مُسْلِمِ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ إِسْحَاقَ عَنْ أَبِي الزِّنَادِ عَنْ مُجَالِدِ بْنِ عَوْفٍ قَالَ: سَمِعْتُ خَارِجَةَ بْنَ زَيْدِ بْنِ ثَابِتٍ يُحَدِّثُ عَنْ أَبِيهِ أَنَّهُ قَالَ: نَزَلَتْ ﴿وَمَن يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا فَجَزَآؤُهُ جَهَنَّمُ خَٰلِدًا فِيهَا﴾. أَشْفَقْنَا مِنْهَا فَنَزَلَتِ الآيَةُ الَّتِي فِي الْفُرْقَانِ ﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَٰهًا ءَاخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ﴾.

(3) ـ ذِكْرُ الْكَبَائِرِ

4015 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا بَقِيَّةُ قَالَ: حَدَّثَنِي بَحِيرُ بْنُ سَعْدٍ عَنْ خَالِدِ بْنِ مَعْدَانَ أَنَّ أَبَا رُهْمٍ السَّمْعِيَّ حَدَّثَهُمْ أَنَّ أَبَا أَيُّوبَ الأَنْصَارِيَّ حَدَّثَهُ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«مَنْ جَاءَ يَعْبُدُ اللَّهَ وَلاَ يُشْرِكُ بِهِ شَيْئاً وَيُقِيمُ الصَّلاَةَ وَيُؤْتِي الزَّكَاةَ وَيَجْتَنِبُ الْكَبَائِرَ كَانَ لَهُ الْجَنَّةُ»** فَسَأَلُوهُ عَنِ الْكَبَائِرِ فَقَالَ: **«الإِشْرَاكُ بِاللَّهِ وَقَتْلُ النَّفْسِ الْمُسْلِمَةِ وَالْفِرَارُ يَوْمَ الزَّحْفِ»**.

4016 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عُبَيْدِ اللَّهِ بْنِ أَبِي بَكْرٍ عَنْ أَنَسٍ عَنِ النَّبِيِّ ﷺ ح. وَأَنْبَأَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا النَّضْرُ بْنُ شُمَيْلٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عُبَيْدِ اللَّهِ بْنِ أَبِي بَكْرٍ قَالَ: سَمِعْتُ أَنَساً يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الْكَبَائِرُ الشِّرْكُ بِاللَّهِ وَعُقُوقُ الْوَالِدَيْنِ وَقَتْلُ النَّفْسِ وَقَوْلُ الزُّورِ»**.

4017 ـ أَخْبَرَنِي عَبْدَةُ بْنُ عَبْدِ الرَّحِيمِ قَالَ: أَنْبَأَنَا ابْنُ شُمَيْلٍ قَالَ: أَنْبَأَنَا شُعْبَةُ قَالَ: حَدَّثَنَا فِرَاسٌ قَالَ: سَمِعْتُ الشَّعْبِيَّ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو عَنِ النَّبِيِّ ﷺ قَالَ: **«الْكَبَائِرُ الإِشْرَاكُ بِاللَّهِ وَعُقُوقُ الْوَالِدَيْنِ وَقَتْلُ النَّفْسِ وَالْيَمِينُ الْغَمُوسُ»**.

4018 ـ أَخْبَرَنَا الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ قَالَ: حَدَّثَنَا مُعَاذُ بْنُ هَانِىءٍ قَالَ: حَدَّثَنَا حَرْبُ بْنُ شَدَّادٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي كَثِيرٍ عَنْ عَبْدِ الْحَمِيدِ بْنِ سِنَانٍ عَنْ حَدِيثِ عُبَيْدِ بْنِ عُمَيْرٍ أَنَّهُ حَدَّثَهُ أَبُوهُ وَكَانَ مِنْ أَصْحَابِ النَّبِيِّ ﷺ: أَنَّ رَجُلاً قَالَ: يَا رَسُولَ اللَّهِ

What are the major sins?" he said: "They are seven, the most grievous of which are to join things with Allah (in service), to kill a soul (illegally), and to flee away (from the battlefield) on the day of the fight."

[4] The Most Grievous Sin

4019- It is narrated on the authority of Abdullah that he said: I asked The Prophet "Allah's blessing and peace be upon him": "What is the most grievous sin in the Sight of Allah?" He said: "That you set up a rival unto Allah though He Alone created you." I said: "What is next?" He said: "To kill your son lest he should share your food with you." I asked: "What is next?" He said: "To commit adultery with the wife of your neighbour."

4020- It is narrated on the authority of Abdullah that he said: I asked The Prophet "Allah's blessing and peace be upon him": "What is the most grievous sin in the Sight of Allah?" He said: "That you set up a rival unto Allah though He Alone created you." I said: "What is next?" He said: "To kill your son lest he should share your food with you." I asked: "What is next?" He said: "To commit adultery with the wife of your neighbour."

4021- It is narrated on the authority of Abdullah that he said: I asked The Prophet "Allah's blessing and peace be upon him": "What is the most grievous sin in the Sight of Allah?" He said: "To join things with Allah (in service) i.e. that you set up a rival unto Allah, to commit adultery with the wife of your neighbour, and to kill your son lest he should share your food with you." Then Abdullah recited: "Those who invoke not, with Allah, any other god, nor slay such life as Allah has made sacred, except for just cause…" (Al-Furqan 68)

[5] What Makes Lawful The Blood Of A Muslim

4022- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "By Allah, other than Whom there is no god (to be worshipped), it is not permissible to make lawful the blood of a Muslim who testifies that there is no god (to be worshipped) but Allah, and that I'm The Messenger of Allah, except in one of three cases: the one who abandoned his religion (of Islam), and deviated from the group (of Muslims), the married person who committed adultery, and (taking) the life (in retribution) for life."

4023- A Hadith like this is narrated on the authority of A'ishah.

4024- It is narrated on the authority of Amr Ibn Ghalib that he said: A'ishah said: You learn that The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not permissible to make lawful the blood of a

مَا الْكَبَائِرُ؟ قَالَ: «هُنَّ سَبْعٌ أَعْظَمُهُنَّ إِشْرَاكٌ بِاللَّهِ وَقَتْلُ النَّفْسِ بِغَيْرِ حَقٍّ وَفِرَارٌ يَوْمَ الزَّحْفِ» مُخْتَصَرٌ.

(4) ـ ذِكْرُ أَعْظَمِ الذَّنْبِ واخْتِلافُ يَحْيَى وعَبْدِ الرَّحْمٰنِ على سُفْيَانَ في حَدِيثِ وَاصِلٍ عن أبي وَائِلٍ عن عَبْدِ الله فيه

4019 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ وَاصِلٍ عَنْ أَبِي وَائِلٍ عَنْ عَمْرِو بْنِ شُرَحْبِيلَ عَنْ عَبْدِ ٱللَّهِ قَالَ: قُلْتُ: يَا رَسُولَ ٱللَّهِ أَيُّ الذَّنْبِ أَعْظَمُ؟ قَالَ: «أَنْ تَجْعَلَ لِلَّهِ نِدًّا وَهُوَ خَلَقَكَ» قُلْتُ: ثُمَّ مَاذَا؟ قَالَ: «أَنْ تَقْتُلَ وَلَدَكَ خَشْيَةَ أَنْ يَطْعَمَ مَعَكَ» قُلْتُ: ثُمَّ مَاذا؟ قَالَ: «أَنْ تُزَانِيَ بِحَلِيلَةِ جَارِكَ».

4020 ـ حَدَّثَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي وَاصِلٌ عَنْ أَبِي وَائِلٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: قُلْتُ: يَا رَسُولَ ٱللَّهِ أَيُّ الذَّنْبِ أَعْظَمُ؟ قَالَ: «أَنْ تَجْعَلَ لِلَّهِ نِدًّا وَهُوَ خَلَقَكَ» قُلْتُ: ثُمَّ أَيٌّ؟ قَالَ: «أَنْ تَقْتُلَ وَلَدَكَ مِنْ أَجْلِ أَنْ يَطْعَمَ مَعَكَ» قُلْتُ: ثُمَّ أَيٌّ؟ قَالَ: «ثُمَّ أَنْ تُزَانِيَ بِحَلِيلَةِ جَارِكَ».

4021 ـ أَخْبَرَنَا عَبْدَةُ قَالَ: أَنْبَأَنَا يَزِيدُ قَالَ: أَنْبَأَنَا شُعْبَةُ عَنْ عَاصِمٍ عَنْ أَبِي وَائِلٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: سَأَلْتُ رَسُولَ ٱللَّهِ ﷺ: أَيُّ الذَّنْبِ أَعْظَمُ؟ قَالَ: «الشِّرْكُ أَنْ تَجْعَلَ لِلَّهِ نِدّاً وَأَنْ تُزَانِيَ بِحَلِيلَةِ جَارِكَ وَأَنْ تَقْتُلَ وَلَدَكَ مَخَافَةَ الْفَقْرِ أَنْ يَأْكُلَ مَعَكَ» ثُمَّ قَرَأَ عَبْدُ ٱللَّهِ ﴿وَٱلَّذِينَ لَا يَدْعُونَ مَعَ ٱللَّهِ إِلَٰهًا ءَاخَرَ﴾.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا خَطَأٌ وَالصَّوَابُ الَّذِي قَبْلَهُ وَحَدِيثُ يَزِيدَ هٰذَا خَطَأٌ إِنَّمَا هُوَ وَاصِلٌ وَٱللَّهُ تَعَالَى أَعْلَمُ.

(5) ـ ذِكْرُ ما يَحِلُّ به دَمُ المُسْلِمِ

4022 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: أَنْبَأَنَا عَبْدُ الرَّحْمٰنِ عَنْ سُفْيَانَ عَنِ الأَعْمَشِ عَنْ عَبْدِ ٱللَّهِ بْنِ مُرَّةَ عَنْ مَسْرُوقٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «وَالَّذِي لاَ إِلٰهَ غَيْرُهُ لاَ يَحِلُّ دَمُ ٱمْرِىءٍ مُسْلِمٍ يَشْهَدُ أَنْ لاَ إِلٰهَ إِلاَّ ٱللَّهُ وَأَنِّي رَسُولُ ٱللَّهِ إِلاَّ ثَلاَثَةُ نَفَرٍ التَّارِكُ لِلإِسْلاَمِ مُفَارِقُ الْجَمَاعَةِ وَالثَّيِّبُ الزَّانِي وَالنَّفْسُ بِالنَّفْسِ».

4023 ـ قَالَ الأَعْمَشُ: فَحَدَّثْتُ بِهِ إِبْرَاهِيمَ فَحَدَّثَنِي عَنِ الأَسْوَدِ عَنْ عَائِشَةَ بِمِثْلِهِ.

4024 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنَا أَبُو إِسْحَاقَ عَنْ عَمْرِو بْنِ غَالِبٍ قَالَ: قَالَتْ عَائِشَةُ: أَمَا عَلِمْتَ أَنَّ رَسُولَ ٱللَّهِ ﷺ

Muslim except in one of three cases: the married person who committed adultery, the one who renegaded to infidelity after embracing Islam, and (taking) the life (in retribution) for life."

4025- It is narrated on the authority of Amr Ibn Ghalib that he said: A'ishah said: O Ammar! You learn that it is not permissible to make lawful the blood of a Muslim except in one of three cases: (taking) the life (in retribution) for life, the married person who committed adultery, and the one who renegaded to infidelity after embracing Islam.

4026- It is narrated on the authority of both Abu Umamah Ibn Sahl Ibn Hunaif and Abdullah Ibn Amir Ibn Rabie'ah that they said: We were with Uthman while he was under the blockade (in his house), and whenever came in the entrance (of the house), we would hear the speech of those on the floor (only a few meters from the house). Once, Uthman entered, and he came out and said: "They threatened to kill me." We said: "Allah suffices you against them!" he said: "But, for which reason are they going to kill me? I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "It is unlawful to shed the blood of a Muslim person except in one of the following three cases: to revert to infidelity after his Islam, to commit adultery while being married, and to kill a soul for no soul (i.e. with no just cause)." By Allah, I've never committed adultery whether during the pre-Islamic period of ignorance or during Islam, nor have I loved to have any religion to substitute for my religion since Allah Almighty guided me (to the true faith), nor have I killed a soul with no just cause. Then, for which thing are they going to kill me?"

[6] Killing Such As Deviates From The Group (Of Muslims)

4027- It is narrated on the authority of Arfajah Ibn Shuraih Al-Ashja'i that he said: I saw The Messenger of Allah "Allah's blessing and peace be upon him" on the pulpit, addressing the people, in which he said: "There will be after me evil and mischief. So, kill whomever you see trying to deviate from the group (of Muslims), or having the intention to disunite the unanimity of the nation of Muhammad The Messenger of Allah "Allah's blessing and peace be upon him", whatever he might be. However, Allah's Hand is in the aid of the group, and Satan runs with such as deviates from the group."

4028- It is narrated on the authority of Arfajah Ibn Shuraih Al-Ashja'i that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There will be after me evil and mischief." He raised both his hands thrice and resumed: "So, kill whomever you see trying to disunite the

قَالَ: «لاَ يَحِلُّ دَمُ ٱمْرِىءٍ مُسْلِمٍ إلاَّ رَجُلٌ زَنَى بَعْدَ إحْصَانِهِ أَوْ كَفَرَ بَعْدَ إسْلاَمِهِ أَوِ النَّفْسُ بِالنَّفْسِ» وَقَفَهُ زُهَيْرٌ.

4025 ـ أَخْبَرَنَا هِلاَلُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا حُسَيْنٌ قَالَ: حَدَّثَنَا زُهَيْرٌ قَالَ: حَدَّثَنَا أبو إسْحَاقَ عَنْ عَمْرِو بْنِ غَالِبٍ قَالَ: قَالَتْ عَائِشَةُ: «يَا عَمَّارُ أَمَا إِنَّكَ تَعْلَمُ أَنَّهُ لاَ يَحِلُّ دَمُ ٱمْرِىءٍ إلاَّ ثَلاَثَةٌ النَّفْسُ بِالنَّفْسِ أَوْ رَجُلٌ زَنَى بَعْدَ مَا أُحْصِنَ» وَسَاقَ الحَدِيثَ.

4026 ـ أَخْبَرَنِي ابْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا مُحَمَّدُ بنُ عِيسَى قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنِي أَبُو أُمَامَةَ بْنُ سَهْلٍ وَعَبْدُ ٱللَّهِ بْنُ عَامِرِ بْنِ رَبِيعَةَ قَالاَ: كُنَّا مَعَ عُثْمَانَ وَهُوَ مَحْصُورٌ وَكُنَّا إذَا دَخَلْنَا مَدْخَلاً نَسْمَعُ كَلاَمَ مَنْ بِالْبَلاَطِ فَدَخَلَ عُثْمَانُ يَوْماً ثُمَّ خَرَجَ فَقَالَ: إِنَّهُمْ لَيَتَوَاعَدُونِي بِالْقَتْلِ قُلْنَا يَكْفِيكَهُمُ ٱللَّهُ قَالَ: فَلِمَ يَقْتُلُونِي؟ سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «لاَ يَحِلُّ دَمُ ٱمْرِىءٍ مُسْلِمٍ إلاَّ بِإِحْدَى ثَلاَثٍ رَجُلٌ كَفَرَ بَعْدَ إسْلاَمِهِ أَوْ زَنَى بَعْدَ إحْصَانِهِ أَوْ قَتَلَ نَفْساً بِغَيْرِ نَفْسٍ» فَوَٱللَّهِ مَا زَنَيْتُ فِي جَاهِلِيَّةٍ وَلاَ إسْلاَمٍ وَلاَ تَمَنَّيْتُ أَنَّ لِي بِدِينِي بَدَلاً مُنْذُ هَدَانِي ٱللَّهُ وَلاَ قَتَلْتُ نَفْساً فَلِمَ يَقْتُلُونَنِي؟ .

(6) ـ قَتْلُ مَنْ فَارَقَ الجَمَاعَةَ
وذِكْرُ الاخْتلافِ على زِيادِ بْنِ عِلاقَةَ عن عَرْفَجَةَ فيه

4027 ـ أَخْبَرَنِي أَحْمَدُ بْنُ يَحْيَى الصُّوفِيُّ قَالَ: حَدَّثَنَا أَبُو نُعَيْمٍ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ مرْدَانْبَةَ عَنْ زِيَادِ بْنِ عِلاَقَةَ عَنْ عَرْفَجَةَ بْنِ شُرَيْحٍ الأَشْجَعِيِّ قَالَ: رَأَيْتُ النَّبِيَّ ﷺ عَلَى الْمِنْبَرِ يَخْطُبُ النَّاسَ فَقَالَ: «إِنَّهُ سَيَكُونُ بَعْدِي هَنَاتٌ وَهَنَاتٌ فَمَنْ رَأَيْتُمُوهُ فَارَقَ الْجَمَاعَةَ أَوْ يُرِيدُ يُفَرِّقُ أَمْرَ أُمَّةِ مُحَمَّدٍ ﷺ كَائِناً مَنْ كَانَ فَٱقْتُلُوهُ فَإِنَّ يَدَ ٱللَّهِ عَلَى الْجَمَاعَةِ فَإِنَّ الشَّيْطَانَ مَعَ مَنْ فَارَقَ الْجَمَاعَةَ يَرْكُضُ».

4028 ـ أَخْبَرَنَا أَبُو عَلِيٍّ مُحَمَّدُ بْنُ عَلِيٍّ الْمَرْوَزِيُّ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ عَنْ عُثْمَانَ عَنْ أَبِي حَمْزَةَ عَنْ زِيَادِ بْنِ عِلاَقَةَ عَنْ عَرْفَجَةَ بْنِ شُرَيْحٍ قَالَ: قَالَ النَّبِيُّ ﷺ: «إِنَّهَا سَتَكُونُ بَعْدِي هَنَاتٌ وَهَنَاتٌ وَهَنَاتٌ» وَرَفَعَ يَدَيْهِ «فَمَنْ رَأَيْتُمُوهُ يُرِيدُ تَفْرِيقَ أَمْرِ

unanimity of the nation of Muhammad The Messenger of Allah "Allah's blessing and peace be upon him", whatever he might be."

4029- It is narrated on the authority of Arfajah Ibn Shuraih Al-Ashja'i that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "There will be after me evil and mischief. So, strike with the sword (and kill) whomever you see trying to disunite the unanimity of the nation of Muhammad The Messenger of Allah "Allah's blessing and peace be upon him"."

4030- It is narrated on the authority of Usamah Ibn Sharik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Chop off the head of such as sets out with the intention to break (the unity and unanimity of) my nation."

[7] The Interpretation Of Allah's Statement: " The Punishment Of Those Who Wage War Against Allah And His Messenger, And Strive With Might And Main For Mischief Through The Land Is: Execution, Or Crucifixion, Or The Cutting Off Of Hands And Feet From Opposite Sides, Or Exile From The Land" (Al-Ma'idah 33)

4031- It is narrated on the authority of Anas Ibn Malik that he said: Eight persons from the tribe of Ukl came to The Messenger of Allah "Allah's blessing and peace be upon him" (and swore allegiance for Islam). The climate of Medina did not suit them, so they got ill. The Messenger of Allah "Allah's blessing and peace be upon him" said (to them): "Won't you go out with the shepherd of our camels and drink of their milk and urine?" They said: "Yes." So they went out and drank the milk and urine of the camels. But after they had recovered, they killed the shepherd of The Messenger of Allah "Allah's blessing and peace be upon him" and took away all the camels. He (the Prophet) sent (some men) in their pursuit. They were captured and brought (to The Prophet). He ordered that their hands and legs should be cut off. Their eyes were branded with heated pieces of iron, and then they were thrown in the sun till they died.

4032- It is narrated on the authority of Anas Ibn Malik that he said: Some people of the tribe of Ukl came to The Prophet "Allah's blessing and peace be upon him" in Medina (in order to embrace Islam). They found Medina's climate inappropriate for them. So The Messenger of Allah "Allah's blessing and peace be upon him" ordered them to go out with the camels of charity and drink their milk and urine (as a kind of medicine). They did accordingly (and when they became healthy) they killed the camels' shepherd, and then drove away the camels. The Prophet "Allah's blessing and peace be upon

أُمَّةِ مُحَمَّدٍ ﷺ وَهُمْ جَمِيعٌ فَاقْتُلُوهُ كَائِناً مَنْ كَانَ مِنَ النَّاسِ».

4029 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: حَدَّثَنَا زِيَادُ بْنُ عِلاَقَةَ عَنْ عَرْفَجَةَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«سَتَكُونُ بَعْدِي هَنَاتٌ وَهَنَاتٌ فَمَنْ أَرَادَ أَنْ يُفَرِّقَ أَمْرَ أُمَّةِ مُحَمَّدٍ ﷺ وَهُمْ جَمْعٌ فَٱضْرِبُوهُ بِالسَّيْفِ».**

4030 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ قُدَامَةَ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ زَيْدِ بْنِ عَطَاءِ بْنِ السَّائِبِ عَنْ زِيَادِ بْنِ عِلاَقَةَ عَنْ أُسَامَةَ بْنِ شَرِيكٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«أَيُّمَا رَجُلٍ خَرَجَ يُفَرِّقُ بَيْنَ أُمَّتِي فَٱضْرِبُوا عُنُقَهُ».**

(7) ـ تَأْوِيلُ قَوْلِ اللهِ عزّ وجلّ:

﴿إِنَّمَا جَزَٰٓؤُاْ ٱلَّذِينَ يُحَارِبُونَ ٱللَّهَ وَرَسُولَهُۥ وَيَسْعَوْنَ فِى ٱلْأَرْضِ فَسَادًا أَن يُقَتَّلُوٓاْ أَوْ يُصَلَّبُوٓاْ أَوْ تُقَطَّعَ أَيْدِيهِمْ وَأَرْجُلُهُم مِّنْ خِلَٰفٍ أَوْ يُنفَوْاْ مِنَ ٱلْأَرْضِ﴾ [المائدة، الآية: 33]

وفيمن نَزَلَتْ وذِكْرُ اخْتِلافِ ألفاظِ النَّاقلين لخبر أَنَسِ بْنِ مَالِكٍ فيه

4031 ـ أَخْبَرَنَا إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ عَنْ حَجَّاجٍ الصَّوَّافِ قَالَ: حَدَّثَنَا أَبُو رَجَاءٍ مَوْلَى أَبِي قِلاَبَةَ قَالَ: حَدَّثَنَا أَبُو قِلاَبَةَ قَالَ: حَدَّثَنِي أَنَسُ بْنُ مَالِكٍ: أَنَّ نَفَراً مِنْ عُكْلٍ ثَمَانِيَةً قَدِمُوا عَلَى النَّبِيِّ ﷺ فَٱسْتَوْخَمُوا الْمَدِينَةَ وَسَقِمَتْ أَجْسَامُهُمْ فَشَكَوْا ذٰلِكَ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: **«أَلاَ تَخْرُجُونَ مَعَ رَاعِينَا فِي إِبِلِهِ فَتُصِيبُوا مِنْ أَلْبَانِهَا وَأَبْوَالِهَا؟»** قَالُوا بَلَى فَخَرَجُوا فَشَرِبُوا مِنْ أَلْبَانِهَا وَأَبْوَالِهَا فَصَحُّوا فَقَتَلُوا رَاعِيَ رَسُولِ ٱللَّهِ ﷺ فَبَعَثَ فَأَخَذُوهُمْ فَأُتِيَ بِهِمْ فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَرَ أَعْيُنَهُمْ وَنَبَذَهُمْ فِي الشَّمْسِ حَتَّى مَاتُوا.

4032 ـ أَخْبَرَنَا عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرِ بْنِ دِينَارٍ عَنِ الْوَلِيدِ عَنِ الأَوْزَاعِيِّ عَنْ يَحْيَى عَنْ أَبِي قِلاَبَةَ عَنْ أَنَسٍ: أَنَّ نَفَراً مِنْ عُكْلٍ قَدِمُوا عَلَى النَّبِيِّ ﷺ فَاجْتَوَوُا الْمَدِينَةَ فَأَمَرَهُمُ النَّبِيُّ ﷺ أَنْ يَأْتُوا إِبِلَ الصَّدَقَةِ فَيَشْرَبُوا مِنْ أَبْوَالِهَا وَأَلْبَانِهَا فَفَعَلُوا فَقَتَلُوا رَاعِيَهَا وَٱسْتَاقُوهَا فَبَعَثَ النَّبِيُّ ﷺ فِي طَلَبِهِمْ قَالَ:

him" sent (some people) in their pursuit. They were caught and brought back. He (The Prophet) cut off their hands and legs, and branded their eyes with pieces of iron, but he did not cauterize them. On that occasion, Allah Almighty revealed: " The punishment of those who wage war against Allah and His Messenger, and strive with might and main for mischief through the land is: execution, or crucifixion, or the cutting off of hands and feet from opposite sides, or exile from the land: that is their disgrace in this world, and a heavy punishment is theirs in the Hereafter." (Al-Ma'idah 33)

4033- It is narrated on the authority of Anas Ibn Malik that he said: Eight persons from the tribe of Ukl came to The Messenger of Allah "Allah's blessing and peace be upon him" (and swore allegiance for Islam). The...and the rest is the same up to his saying: And he did not cauterize them.

4034- It is narrated on the authority of Anas Ibn Malik that he said: Some people from the tribe of Ukl or Urainah came to The Prophet "Allah's blessing and peace be upon him" (in order to embrace Islam); and since they found Medina's climate inappropriate for them, he ordered that some milch camels be given to them, in order to drink their milk and urine (as medicine). (When they became healthy) they killed the camels' shepherd, and then drove away the camels. The Prophet "Allah's blessing and peace be upon him" sent (some people) in their pursuit. He (The Prophet) cut off their hands and legs, and branded their eyes with pieces of iron.

[8] The Different Citation-Forms Of The Narration Of Humaid

4035- It is narrated on the authority of Anas Ibn Malik that he said: Some people from the tribe of Urainah came to The Prophet "Allah's blessing and peace be upon him" (in order to embrace Islam); and since they found Medina's climate inappropriate for them, The Prophet "Allah's blessing and peace be upon him" ordered them to go out with a herd of milch camels, in order to drink their milk and urine (as medicine). When they drank from their milk and urine and thus became healthy they renegaded from Islam, killed the shepherd of The Prophet "Allah's blessing and peace be upon him", and then drove away the camels. The Prophet "Allah's blessing and peace be upon him" sent (some people) in their pursuit. They were caught and brought back, and he cut off their hands and legs, and branded their eyes with pieces of iron, and crucified them.

4036- It is narrated on the authority of Anas Ibn Malik that some people from Urainah tribe came to the Messenger of Allah "Allah's blessing and peace be upon him" (to embrace Islam, but Medina's climate did not suit them). So The Prophet "Allah's blessing and peace be upon him" said to

فَأُتِيَ بِهِمْ فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَرَ أَعْيُنَهُمْ وَلَمْ يَحْسِمْهُمْ وَتَرَكَهُمْ حَتَّى مَاتُوا فَأَنْزَلَ ٱللَّهُ عَزَّ وَجَلَّ ﴿إِنَّمَا جَزَٰٓؤُاْ ٱلَّذِينَ يُحَارِبُونَ ٱللَّهَ وَرَسُولَهُۥ﴾. الآيَة.

4033 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ مَنْصُورٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ يُوسُفَ قَالَ: حَدَّثَنَا الأَوْزَاعِيُّ قَالَ: حَدَّثَنِي يَحْيَى بْنُ أَبِي كَثِيرٍ قَالَ: حَدَّثَنِي أَبُو قِلاَبَةَ عَنْ أَنَسٍ قَالَ: قَدِمَ عَلَى رَسُولِ ٱللَّهِ ﷺ ثَمَانِيَةُ نَفَرٍ مِنْ عُكْلٍ فَذَكَرَ نَحْوَهُ إِلَى قَوْلِهِ لَمْ يَحْسِمْهُمْ وَقَالَ: قَتَلُوا الرَّاعِيَ.

4034 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ أَيُّوبَ عَنْ أَبِي قِلاَبَةَ عَنْ أَنَسٍ قَالَ: «أَتَى النَّبِيَّ ﷺ نَفَرٌ مِنْ عُكْلٍ أَوْ عُرَيْنَةَ فَأَمَرَ لَهُمْ وَٱجْتَوَوُا الْمَدِينَةَ بِذَوْدٍ أَوْ لِقَاحٍ يَشْرَبُونَ أَلْبَانَهَا وَأَبْوَالَهَا فَقَتَلُوا الرَّاعِيَ وَٱسْتَاقُوا الإِبِلَ فَبَعَثَ فِي طَلَبِهِمْ فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَلَ أَعْيُنَهُمْ».

(8) ـ ذِكْرُ اخْتِلافِ النَّاقِلِينَ لِخَبَرِ حُمَيْدٍ عن أَنَسِ بْنِ مَالِكٍ فيه

4035 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ قَالَ: أَخْبَرَنِي ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي عَبْدُ ٱللَّهِ بْنُ عُمَرَ وَغَيْرُهُ عَنْ حُمَيْدٍ الطَّوِيلِ عَنْ أَنَسِ بْنِ مَالِكٍ: «أَنَّ نَاساً مِنْ عُرَيْنَةَ قَدِمُوا عَلَى رَسُولِ ٱللَّهِ ﷺ فَاجْتَوُوا الْمَدِينَةَ فَبَعَثَهُمُ النَّبِيُّ ﷺ إِلَى ذَوْدٍ لَهُ فَشَرِبُوا مِنْ أَلْبَانِهَا وَأَبْوَالِهَا، فَلَمَّا صَحُّوا ارْتَدُّوا عَنِ الإِسْلاَمِ وَقَتَلُوا رَاعِيَ رَسُولِ اللَّهِ ﷺ مُؤْمِناً وَٱسْتَاقُوا الإِبِلَ فَبَعَثَ رَسُولُ ٱللَّهِ ﷺ فِي آثَارِهِمْ فَأُخِذُوا فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَلَ أَعْيُنَهُمْ وَصَلَبَهُمْ».

4036 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: أَنْبَأَنَا إِسْمَاعِيلُ عَنْ حُمَيْدٍ عَنْ أَنَسٍ قَالَ: «قَدِمَ عَلَى رَسُولِ ٱللَّهِ ﷺ أُنَاسٌ مِنْ عُرَيْنَةَ فَقَالَ لَهُمْ رَسُولُ ٱللَّهِ ﷺ:

them: "Would that you go to the herd of milch camels belonging to us, and drink from their milk and urine (as a medicine)!" They did accordingly, and after they had become healthy they turned to the shepherd of the Messenger of Allah "Allah's blessing and peace be upon him" and killed him, and thus they renegaded from Islam, and drove away the camels of the Messenger of Allah "Allah's blessing and peace be upon him". The Prophet "Allah's blessing and peace be upon him" sent (some men) in their pursuit; and they were captured and brought back, thereupon he cut off their hands and legs, and branded their eyes with pieces of iron.

4037- It is narrated on the authority of Anas Ibn Malik that some people from Urainah tribe came to the Messenger of Allah "Allah's blessing and peace be upon him" (to embrace Islam), but Medina's climate did not suit them. So The Prophet "Allah's blessing and peace be upon him" said to them: "Would that you go to the herd of milch camels belonging to us, and drink from their milk and urine (as a medicine)!" They went out to the herd of the milch camels of the Messenger of Allah "Allah's blessing and peace be upon him", and after they had become healthy they renegaded from Islam, killed the shepherd of the Messenger of Allah "Allah's blessing and peace be upon him", and he was a faithful believer, and drove away the camels of the Messenger of Allah "Allah's blessing and peace be upon him", and set out as fighters (against Allah and His Messenger). The Prophet "Allah's blessing and peace be upon him" sent (some men) in their pursuit; and (when they were captured and brought back), he cut off their hands and legs, and branded their eyes with pieces of iron.

4038- It is narrated on the authority of Anas Ibn Malik that some people from Urainah tribe embraced Islam, but Medina's climate did not suit them. So The Prophet "Allah's blessing and peace be upon him" said to them: "Would that you go to the herd of milch camels belonging to us, and drink from their milk and urine (as a medicine)!" They did accordingly, and after they had become healthy they renegaded from Islam, killed the shepherd of the Messenger of Allah "Allah's blessing and peace be upon him", and he was a faithful believer, and drove away the camels of the Messenger of Allah "Allah's blessing and peace be upon him", and fled away as fighters (against Allah and His Messenger). The Prophet "Allah's blessing and peace be upon him" sent (some men) in their pursuit; and they were captured and taken, and he cut off their hands and legs, and branded their eyes with pieces of iron, and they were left in the rocky ground (of Medina) until they died.

4039- It is narrated on the authority of Anas Ibn Malik that he said: Some people from the tribe of Ukl or Urainah arrived at Medina to meet The

«**لَوْ خَرَجْتُمْ إِلَى ذَوْدِنَا فَكُنْتُمْ فِيهَا فَشَرِبْتُمْ مِنْ أَلْبَانِهَا وَأَبْوَالِهَا**». فَفَعَلُوا فَلَمَّا صَحُّوا قَامُوا إِلَى رَاعِي رَسُولِ ٱللَّهِ ﷺ فَقَتَلُوهُ وَرَجَعُوا كُفَّاراً وَٱسْتَاقُوا ذَوْدَ النَّبِيِّ ﷺ فَأَرْسَلَ فِي طَلَبِهِمْ فَأُتِيَ بِهِمْ فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَلَ أَعْيُنَهُمْ».

4037 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا حُمَيْدٌ عَنْ أَنَسٍ قَالَ: قَدِمَ نَاسٌ مِنْ عُرَيْنَةَ عَلَى رَسُولِ ٱللَّهِ ﷺ فَٱجْتَوَوُا الْمَدِينَةَ فَقَالَ لَهُمُ النَّبِيُّ ﷺ: «**لَوْ خَرَجْتُمْ إِلَى ذَوْدِنَا فَشَرِبْتُمْ مِنْ أَلْبَانِهَا**» قَالَ: وَقَالَ قَتَادَةُ: «**وَأَبْوَالِهَا**». فَخَرَجُوا إِلَى ذَوْدِ رَسُولِ ٱللَّهِ ﷺ فَلَمَّا صَحُّوا كَفَرُوا بَعْدَ إِسْلاَمِهِمْ وَقَتَلُوا رَاعِي رَسُولِ ٱللَّهِ ﷺ مُؤْمِناً وَٱسْتَاقُوا ذَوْدَ رَسُولِ ٱللَّهِ ﷺ وَٱنْطَلَقُوا مُحَارِبِينَ فَأَرْسَلَ فِي طَلَبِهِمْ فَأُخِذُوا فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَرَ أَعْيُنَهُمْ.

4038 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي عَدِيٍّ قَالَ: حَدَّثَنَا حُمَيْدٌ عَنْ أَنَسٍ قَالَ: «أَسْلَمَ أُنَاسٌ مِنْ عُرَيْنَةَ فَاجْتَوَوُا الْمَدِينَةَ فَقَالَ لَهُمْ رَسُولُ ٱللَّهِ ﷺ: «**لَوْ خَرَجْتُمْ إِلَى ذَوْدٍ لَنَا فَشَرِبْتُمْ مِنْ أَلْبَانِهَا**» قَالَ حُمَيْدٌ: وَقَالَ قَتَادَةُ: عَنْ أَنَسٍ: «**وَأَبْوَالِهَا**». فَفَعَلُوا فَلَمَّا صَحُّوا كَفَرُوا بَعْدَ إِسْلاَمِهِمْ وَقَتَلُوا رَاعِيَ رَسُولِ ٱللَّهِ ﷺ مُؤْمِناً وَٱسْتَاقُوا ذَوْدَ رَسُولِ ٱللَّهِ ﷺ وَهَرَبُوا مُحَارِبِينَ فَأَرْسَلَ رَسُولُ ٱللَّهِ ﷺ مَنْ أَتَى بِهِمْ فَأُخِذُوا فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَرَ أَعْيُنَهُمْ وَتَرَكَهُمْ فِي الْحَرَّةِ حَتَّى مَاتُوا».

4039 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: حَدَّثَنَا قَتَادَةُ أَنَّ أَنَسَ بْنَ مَالِكٍ حَدَّثَهُمْ: أَنَّ نَاساً أَوْ رِجَالاً مِنْ عُكْلٍ أَوْ عُرَيْنَةَ قَدِمُوا عَلَى رَسُولِ ٱللَّهِ ﷺ فَقَالُوا: يَا رَسُولَ ٱللَّهِ

Messenger of Allah "Allah's blessing and peace be upon him" (to embrace Islam) and they said: "O Messenger of Allah! We are the owners of milch livestock (i.e. Bedouins) and not farmers (i.e. countrymen)." They found the climate of Medina unsuitable for them. So The Messenger of Allah "Allah's blessing and peace be upon him" ordered that they should be provided with some milch camels and a shepherd and ordered them to go out of Medina and to drink the camels' milk and urine (as medicine). But, when they recovered, and at that time they were near Al-Harrah (the rocky ground of Medina), they reverted to Heathenism after embracing Islam, and killed the shepherd of The Messenger of Allah "Allah's blessing and peace be upon him" and drove away the camels. The Messenger of Allah "Allah's blessing and peace be upon him" sent some people in pursuit of them. (So they were caught and brought back. He then gave his command and their eyes were branded with pieces of iron and their hands and legs were cut off, and they were left in Al-Harrah in that very state till they died.

4040- It is narrated on the authority of Anas Ibn Malik that he said: Some people from the tribe of Urainah arrived at Harrah (a stony ground in Medina) and then they came to meet The Messenger of Allah "Allah's blessing and peace be upon him" (to embrace Islam). They found the climate of Medina unsuitable for them. So The Messenger of Allah "Allah's blessing and peace be upon him" ordered that they should go out with some milch camels of those given in charity, and drink from their milk and urine (as medicine). But, (when they recovered) they killed the shepherd and renegaded from Islam and drove away the camels. The Messenger of Allah "Allah's blessing and peace be upon him" sent some people in pursuit of them. So they were caught and brought back. He then gave his command and their eyes were branded with pieces of iron and their hands and legs were cut off, and they were thrown away in Al-Harrah (till they died). Anas said: I saw one of them biting the ground out of severe thirst.

[9] The Citation-Forms Of The Narration Of Yahya Ibn Sa'id

4041- It is narrated on the authority of Anas Ibn Malik that some people from Urainah tribe came to the Messenger of Allah "Allah's blessing and peace be upon him" and embraced Islam, but Medina's climate did not suit them to the extent that their faces turned pale, and their abdomens were inflamed. So The Messenger of Allah "Allah's blessing and peace be upon him" sent them to a herd of milch camels belonging to him, and ordered them to drink from their milk and urine (as a medicine), and after they had become healthy they killed the shepherds and drove away the camels. The Prophet "Allah's blessing and peace be upon him" sent (some men) in their

إِنَّا أَهْلُ ضَرْعٍ وَلَمْ نَكُنْ أَهْلَ رِيفٍ فَٱسْتَوْخَمُوا الْمَدِينَةَ فَأَمَرَ لَهُمْ رَسُولُ ٱللَّهِ ﷺ بِذَوْدٍ وَرَاعٍ وَأَمَرَهُمْ أَنْ يَخْرُجُوا فِيهَا فَيَشْرَبُوا مِنْ لَبَنِهَا وَأَبْوَالِهَا فَلَمَّا صَحُّوا وَكَانُوا بِنَاحِيَةِ الْحَرَّةِ كَفَرُوا بَعْدَ إِسْلاَمِهِمْ وَقَتَلُوا رَاعِيَ رَسُولِ ٱللَّهِ ﷺ وَٱسْتَاقُوا الذَّوْدَ فَبَعَثَ الطَّلَبَ فِي آثَارِهِمْ فَأُتِيَ بِهِمْ فَسَمَرَ أَعْيُنَهُمْ وَقَطَعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ ثُمَّ تَرَكَهُمْ فِي الْحَرَّةِ عَلَى حَالِهِمْ حَتَّى مَاتُوا. أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ عَبْدِ الأَعْلَى نَحْوَهُ.

4040 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ نَافِعٍ أَبُو بَكْرٍ قَالَ: حَدَّثَنَا بَهْزٌ قَالَ: حَدَّثَنَا حَمَّادٌ قَالَ: حَدَّثَنَا قَتَادَةُ وَثَابِتٌ عَنْ أَنَسٍ: أَنَّ نَفَراً مِنْ عُرَيْنَةَ نَزَلُوا فِي الْحَرَّةِ فَأَتَوُا النَّبِيَّ ﷺ فَٱجْتَوَوُا الْمَدِينَةَ فَأَمَرَهُمْ رَسُولُ ٱللَّهِ ﷺ أَنْ يَكُونُوا فِي إِبِلِ الصَّدَقَةِ وَأَنْ يَشْرَبُوا مِنْ أَلْبَانِهَا وَأَبْوَالِهَا فَقَتَلُوا الرَّاعِيَ وَٱرْتَدُّوا عَنِ الإِسْلاَمِ وَٱسْتَاقُوا الإِبِلَ فَبَعَثَ رَسُولُ ٱللَّهِ ﷺ فِي آثَارِهِمْ فَجِيءَ بِهِمْ فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَرَ أَعْيُنَهُمْ وَأَلْقَاهُمْ فِي الْحَرَّةِ. قَالَ أَنَسٌ: فَلَقَدْ رَأَيْتُ أَحَدَهُمْ يَكْدُمُ الأَرْضَ بِفِيهِ عَطَشاً حَتَّى مَاتُوا.

(9) ـ ذِكْرُ اخْتِلاَفِ طَلْحَةَ بْنِ مُصَرِّفٍ وَمُعَاوِيَةَ بْنِ صَالِحٍ عَلَى يَحْيَى بْنِ سَعِيدٍ فِي هَذَا الْحَدِيثِ

4041 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ وَهْبٍ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ قَالَ: حَدَّثَنِي أَبُو عَبْدِ الرَّحِيمِ قَالَ: حَدَّثَنِي زَيْدُ بْنُ أَبِي أُنَيْسَةَ عَنْ طَلْحَةَ بْنِ مُصَرِّفٍ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: قَدِمَ أَعْرَابٌ مِنْ عُرَيْنَةَ إِلَى نَبِيِّ ٱللَّهِ ﷺ فَأَسْلَمُوا، فَٱجْتَوَوُا الْمَدِينَةَ حَتَّى ٱصْفَرَّتْ أَلْوَانُهُمْ وَعَظُمَتْ بُطُونُهُمْ، فَبَعَثَ بِهِمْ نَبِيُّ ٱللَّهِ ﷺ إِلَى لِقَاحٍ لَهُ فَأَمَرَهُمْ

pursuit; and they were captured and brought back, thereupon he cut off their hands and legs, and branded their eyes with pieces of iron. Abd Al-Malik Ibn Marwan said to Anas while he was relating this narration to him: "Had he done so because of their infidelity or because of their crime?" he said: "It is because of their infidelity."

4042- It is narrated on the authority of Sa'id Ibn Al-Musayyab that he said: Some from amongst the Arabs came to the Messenger of Allah "Allah's blessing and peace be upon him" and embraced Islam and then they grew ill, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" sent them to a herd of milch camels belonging to him, in order to drink from their milk (as a kind of medicine), and they did accordingly (and when they became healthy) they turned to the shepherd, who was a slave belonging to the Messenger of Allah "Allah's blessing and peace be upon him" and killed him, and drove away the milch camels (to the land of the pagans). They (the narrators) pretended that the Messenger of Allah "Allah's blessing and peace be upon him" said: "O Allah! Cause to be thirsty such as causes the family of Muhammad to become thirsty tonight." the Messenger of Allah "Allah's blessing and peace be upon him" sent some people in pursuit of them, and they were caught and brought back, and their hands and legs were cut off, and their eyes were branded with heated pieces of iron.

4043- It is narrated on the authority of A'ishah that she said: Some people attacked the milch camels of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon they were caught, and their hands and legs were cut off, and their eyes were branded with heated pieces of iron.

4044- It is narrated on the authority of A'ishah that some people attacked the milch camels of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon they were caught and brought back to the Messenger of Allah "Allah's blessing and peace be upon him", and the Messenger of Allah "Allah's blessing and peace be upon him" ordered that their hands and legs be cut off, and their eyes be branded with heated pieces of iron.

4045- It is narrated on the authority of Hisham from his father that some people attacked the milch camels of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon their hands and legs were cut off, and their eyes were branded with heated pieces of iron.

4046- It is narrated on the authority of Urwah Ibn Az-Zubair that he said: Some people from the tribe of Urainah attacked the milch camels of the Messenger of Allah "Allah's blessing and peace be upon him", drove them away and killed the shepherd, who was a slave belonging to him. the

أَنْ يَشْرَبُوا مِنْ أَلْبَانِهَا وَأَبْوَالِهَا، حَتَّى صَحُّوا فَقَتَلُوا رُعَاتَهَا وَٱسْتَاقُوا الإِبِلَ، فَبَعَثَ نَبِيُّ ٱللَّهِ ﷺ فِي طَلَبِهِمْ فَأُتِيَ بِهِمْ فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَرَ أَعْيُنَهُمْ. قَالَ أَمِيرُ الْمُؤْمِنِينَ عَبْدُ الْمَلِكِ لأَنَسٍ وَهُوَ يُحَدِّثُهُ هٰذَا الْحَدِيثَ بِكُفْرٍ أَوْ بِذَنْبٍ؟ قَالَ: بِكُفْرٍ.

4042 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: وَأَخْبَرَنِي يَحْيَى بْنُ أَيُّوبَ وَمُعَاوِيَةُ بْنُ صَالِحٍ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ قَالَ: قَدِمَ نَاسٌ مِنَ الْعَرَبِ عَلَى رَسُولِ ٱللَّهِ ﷺ فَأَسْلَمُوا ثُمَّ مَرِضُوا فَبَعَثَ بِهِمْ رَسُولُ ٱللَّهِ ﷺ إِلَى لِقَاحٍ لِيَشْرَبُوا مِنْ أَلْبَانِهَا فَكَانُوا فِيهَا ثُمَّ عَمَدُوا إِلَى الرَّاعِي غُلَامِ رَسُولِ ٱللَّهِ ﷺ فَقَتَلُوهُ وَٱسْتَاقُوا اللِّقَاحَ فَزَعَمُوا: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**ٱللَّهُمَّ عَطِّشْ مَنْ عَطَّشَ آلَ مُحَمَّدٍ ٱللَّيْلَةَ**». فَبَعَثَ رَسُولُ ٱللَّهِ ﷺ فِي طَلَبِهِمْ فَأُخِذُوا فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَلَ أَعْيُنَهُمْ. وَبَعْضُهُمْ يَزِيدُ عَلَى بَعْضٍ إِلاَّ أَنَّ مُعَاوِيَةَ قَالَ فِي هٰذَا الْحَدِيثِ: «ٱسْتَاقُوا إِلَى أَرْضِ الشِّرْكِ».

4043 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ الْخَلَنْجِيُّ قَالَ: حَدَّثَنَا مَالِكُ بْنُ سُعَيْرٍ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ رَضِيَ ٱللَّهُ عَنْهَا قَالَتْ: أَغَارَ قَوْمٌ عَلَى لِقَاحِ رَسُولِ ٱللَّهِ ﷺ فَأَخَذَهُمْ فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَلَ أَعْيُنَهُمْ.

4044 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ إِبْرَاهِيمَ بْنِ أَبِي الْوَزِيرِ قَالَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ ح. وَأَنْبَأَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ أَبِي الْوَزِيرِ قَالَ: حَدَّثَنَا الدَّرَاوَرْدِيُّ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ: «أَنَّ قَوْماً أَغَارُوا عَلَى لِقَاحِ رَسُولِ ٱللَّهِ ﷺ فَأُتِيَ بِهِمُ النَّبِيُّ ﷺ فَقَطَّعَ النَّبِيُّ ﷺ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَلَ أَعْيُنَهُمْ» اللَّفْظُ لابْنِ الْمُثَنَّى.

4045 ـ أَخْبَرَنَا عِيسَى بْنُ حَمَّادٍ قَالَ: أَنْبَأَنَا ٱللَّيْثُ عَنْ هِشَامٍ عَنْ أَبِيهِ: أَنَّ قَوْماً أَغَارُوا عَلَى إِبِلِ رَسُولِ ٱللَّهِ ﷺ فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَلَ أَعْيُنَهُمْ.

4046 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: وَأَخْبَرَنِي يَحْيَى بْنُ عَبْدِ ٱللَّهِ بْنِ سَالِمٍ وَسَعِيدُ بْنُ عَبْدِ الرَّحْمٰنِ وَذَكَرَ آخَرَ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ أَنَّهُ قَالَ: أَغَارَ نَاسٌ مِنْ عُرَيْنَةَ عَلَى لِقَاحِ رَسُولِ ٱللَّهِ ﷺ وَٱسْتَاقُوهَا

Messenger of Allah "Allah's blessing and peace be upon him" sent some people in their pursuit, and they were caught and he ordered that their hands and legs be cut off, and their eyes be branded with heated pieces of iron.

4047- It is narrated on the authority of Abdullah Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him" that in connection with those (of Urainah), the Holy Verse of waging war (against Allah and His Messenger) was revealed (Al-Ma'idah 33)

4048- It is narrated on the authority of Abu Az-Zinad that when the Messenger of Allah "Allah's blessing and peace be upon him" cut off the hands and legs and branded with the heated pieces of iron the eyes of those who robbed his milch camels, Allah Almighty blamed him when He Almighty revealed: " The punishment of those who wage war against Allah and His Messenger, and strive with might and main for mischief through the land is: execution, or crucifixion, or the cutting off of hands and feet from opposite sides, or exile from the land: that is their disgrace in this world, and a heavy punishment is theirs in the Hereafter." (Al-Ma'idah 33)

4049-It is narrated on the authority of Anas that he said: What caused the Messenger of Allah "Allah's blessing and peace be upon him" to brand with the heated pieces of iron the eyes of those (who attacked his milch camels and killed the shepherd) was that they themselves branded with the heated pieces of iron the eyes of the shepherds (before killing them).

4050-It is narrated on the authority of Anas that a man from Jews killed a girl from the Ansar for (stealing) her ornaments. Then, he threw her (dead body) into a well, and crushed her head with the stones. Then, he was brought to The Messenger of Allah "Allah's blessing and peace be upon him", who ordered that he should be stoned to death. Actually, he was stoned until he died.

4051-It is narrated on the authority of Anas that a man from Jews killed a girl from the Ansar for (stealing) her ornaments. Then, he threw her (dead body) into a well, and crushed her head with the stones. The Messenger of Allah "Allah's blessing and peace be upon him", ordered that he should be stoned to death. Actually, he was stoned until he died.

4052- It is narrated on the authority of Ibn Abbas: It was in connection with the pagans that the following Holy Verse was revealed: "The punishment of those who wage war against Allah and His Messenger, and strive with might and main for mischief through the land is: execution, or crucifixion, or the cutting off of hands and feet from opposite sides, or exile from the land: that is their disgrace in this world, and a heavy punishment is

وَقَتَلُوا غُلاَماً لَهُ فَبَعَثَ رَسُولُ ٱللَّهِ ﷺ فِي آثَارِهِمْ فَأُخِذُوا فَقَطَّعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَلَ أَعْيُنَهُمْ.

4047 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ قَالَ: أَخْبَرَنِي ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي عَمْرُو بْنُ الْحَارِثِ عَنْ سَعِيدِ بْنِ أَبِي هِلاَلٍ عَنْ أَبِي الزِّنَادِ عَنْ عَبْدِ ٱللَّهِ بْنِ عُبَيْدِ ٱللَّهِ عَنْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ عَنْ رَسُولِ ٱللَّهِ ﷺ. وَنَزَلَتْ فِيهِمْ آيَةُ الْمُحَارَبَةِ.

4048 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي اللَّيْثُ عَنِ ٱبْنِ عَجْلاَنَ عَنْ أَبِي الزِّنَادِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ لَمَّا قَطَّعَ الَّذِينَ سَرَقُوا لِقَاحَهُ وَسَمَلَ أَعْيُنَهُمْ بِالنَّارِ عَاتَبَهُ ٱللَّهُ فِي ذٰلِكَ فَأَنْزَلَ ٱللَّهُ تَعَالَى: ﴿إِنَّمَا جَزَٰٓؤُاْ ٱلَّذِينَ يُحَارِبُونَ ٱللَّهَ وَرَسُولَهُۥ﴾ [المائدة، الآية: 33] الآيَةَ كُلَّهَا.

4049 ـ أَخْبَرَنَا الْفَضْلُ بْنُ سَهْلٍ الأَعْرَجِ قَالَ: حَدَّثَنَا يَحْيَى بْنُ غَيْلاَنَ ثِقَةٌ مَأْمُونٌ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ عَنْ سُلَيْمَانَ التَّيْمِيِّ عَنْ أَنَسٍ قَالَ: إِنَّمَا سَمَلَ النَّبِيُّ ﷺ أَعْيُنَ أُولٰئِكَ لأَنَّهُمْ سَمَلُوا أَعْيُنَ الرُّعَاةِ.

4050 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ وَالْحَارِثُ بْنُ مِسْكِينٍ قِرَاءَةً عَلَيْهِ وَأَنَا أَسْمَعُ قَالَ: حَدَّثَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي مُحَمَّدُ بْنُ عَمْرٍو عَنِ ٱبْنِ جُرَيْجٍ عَنْ أَيُّوبَ عَنْ أَبِي قِلاَبَةَ عَنْ أَنَسِ بْنِ مَالِكٍ: أَنَّ رَجُلاً مِنَ الْيَهُودِ قَتَلَ جَارِيَةً مِنَ الأَنْصَارِ عَلَى حُلِيٍّ لَهَا وَأَلْقَاهَا فِي قَلِيبٍ وَرَضَخَ رَأْسَهَا بِالْحِجَارَةِ فَأُخِذَ فَأَمَرَ بِهِ رَسُولُ ٱللَّهِ ﷺ أَنْ يُرْجَمَ حَتَّى يَمُوتَ.

4051 ـ أَخْبَرَنَا يُوسُفُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا حَجَّاجٌ عَنِ ٱبْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي مَعْمَرٌ عَنْ أَيُّوبَ عَنْ أَبِي قِلاَبَةَ عَنْ أَنَسٍ: أَنَّ رَجُلاً قَتَلَ جَارِيَةً مِنَ الأَنْصَارِ عَلَى حُلِيٍّ لَهَا ثُمَّ أَلْقَاهَا فِي قَلِيبٍ وَرَضَخَ رَأْسَهَا بِالْحِجَارَةِ فَأَمَرَ النَّبِيُّ ﷺ أَنْ يُرْجَمَ حَتَّى يَمُوتَ.

4052 ـ أَخْبَرَنَا زَكَرِيَّا بْنُ يَحْيَى قَالَ: حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنِي عَلِيُّ بْنُ الْحُسَيْنِ بْنِ وَاقِدٍ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنَا يَزِيدُ النَّحْوِيُّ عَنْ عِكْرِمَةَ عَنِ

theirs in the Hereafter." (Al-Ma'idah 33) in this way, if anyone of them repented before he became within the power (of the Muslims), there will be no way over him. But this Holy Verse does not apply to a Muslim person: whoever of them kills and does mischief through the land, and wages war against Allah and His Messenger, and then he joins the infidels before becoming within the power (of the Muslims), this would not exempt him from having the legal punishment executed on him for the sin he committed.

[10] It Is Forbidden To Mutilate The Dead Bodies

4053- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used, in his sermons, to exhort (the people) to give more in charity, and forbid them to mutilate the dead bodies.

[11] The Crucifixion

4054- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not permissible to make lawful the blood of a Muslim except in one of three cases: a married person who commits adultery, and in this case he should be stoned to death; a man who kills another intentionally, and in this case he should be killed (in retribution); and a man who renegades from Islam and wages war against Allah Almighty and His Messenger, and in this case, he should be killed, or crucified or exiled from the land."

[12] When A Slave Flees Away To The Land Of The Pagans

4055- It is narrated on the authority of Jarir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If a slave flees away (from his masters), no prayer will be acceptable from him until he returns once again to his masters."

4056- It is narrated on the authority of Jarir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If a slave flees away (from his masters), no prayer will be acceptable from him; and if he dies in such a state, he will (be considered to) have died in a state of infidelity." On the other hand, a slave belonging to Jarir fled away from him, and when he seized him, he chopped off his head.

4057- It is narrated on the authority of Jarir Ibn Abdullah that he said: When a slave flees away to the land of the pagans, he will come to have no right of protection.

ٱبْنِ عَبَّاسٍ فِي قَوْلِهِ تَعَالَى: ﴿إِنَّمَا جَزَٰٓؤُاْ ٱلَّذِينَ يُحَارِبُونَ ٱللَّهَ وَرَسُولَهُۥ﴾ الآيَةَ قَالَ: نَزَلَتْ هٰذِهِ الآيَةُ فِي الْمُشْرِكِينَ فَمَنْ تَابَ مِنْهُمْ قَبْلَ أَنْ يُقْدَرَ عَلَيْهِ لَمْ يَكُنْ عَلَيْهِ سَبِيلٌ وَلَيْسَتْ هٰذِهِ الآيَةُ لِلرَّجُلِ الْمُسْلِمِ فَمَنْ قَتَلَ وَأَفْسَدَ فِي الأَرْضِ وَحَارَبَ ٱللَّهَ وَرَسُولَهُ ثُمَّ لَحِقَ بِالْكُفَّارِ قَبْلَ أَنْ يُقْدَرَ عَلَيْهِ لَمْ يَمْنَعْهُ ذٰلِكَ أَنْ يُقَامَ فِيهِ الْحَدُّ الَّذِي أَصَابَ.

(10) ـ النَّهْيُ عَنِ الْمُثْلَةِ

4053 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا عَبْدُ الصَّمَدِ قَالَ: حَدَّثَنَا هِشَامٌ عَنْ قَتَادَةَ عَنْ أَنَسٍ قَالَ: «كَانَ رَسُولُ ٱللَّهِ ﷺ يَحُثُّ فِي خُطْبَتِهِ عَلَى الصَّدَقَةِ وَيَنْهَى عَنِ الْمُثْلَةِ».

(11) ـ الصَّلْبُ

4054 ـ أَخْبَرَنَا الْعَبَّاسُ بْنُ مُحَمَّدٍ الدُّورِيُّ قَالَ: حَدَّثَنَا أَبُو عَامِرٍ الْعَقَدِيُّ عَنْ إِبْرَاهِيمَ بْنِ طَهْمَانَ عَنْ عَبْدِ الْعَزِيزِ بْنِ رُفَيْعٍ عَنْ عُبَيْدِ بْنِ عُمَيْرٍ عَنْ عَائِشَةَ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«لاَ يَحِلُّ دَمُ ٱمْرِىءٍ مُسْلِمٍ إِلاَّ بِإِحْدَى ثَلاَثِ خِصَالٍ زَانٍ مُحْصَنٌ يُرْجَمُ أَوْ رَجُلٌ قَتَلَ رَجُلاً مُتَعَمِّداً فَيُقْتَلُ أَوْ رَجُلٌ يَخْرُجُ مِنَ الإِسْلاَمِ يُحَارِبُ ٱللَّهَ عَزَّ وَجَلَّ وَرَسُولَهُ فَيُقْتَلُ أَوْ يُصْلَبُ أَوْ يُنْفَى مِنَ الأَرْضِ»**.

(12) ـ العَبْدُ يَأْبَقُ إِلى أَرْضِ الشِّرْكِ وذِكْرُ اخْتِلافِ ٱلْفَاظِ النَّاقلين لخَبَرِ جَرِيرٍ في ذلك الاخْتِلافُ على الشَّعْبِيِّ

4055 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: أَنْبَأَنَا شُعْبَةُ عَنْ مَنْصُورٍ عَنِ الشَّعْبِيِّ عَنْ جَرِيرٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِذَا أَبَقَ الْعَبْدُ لَمْ تُقْبَلْ لَهُ صَلاَةٌ حَتَّى يَرْجِعَ إِلَى مَوَالِيهِ»**.

4056 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ قُدَامَةَ عَنْ جَرِيرٍ عَنْ مُغِيرَةَ عَنِ الشَّعْبِيِّ قَالَ: كَانَ جَرِيرٌ يُحَدِّثُ عَنِ النَّبِيِّ ﷺ: **«إِذَا أَبِقَ الْعَبْدُ لَمْ تُقْبَلْ لَهُ صَلاَةٌ وَإِنْ مَاتَ مَاتَ كَافِراً»**. وَأَبَقَ غُلاَمٌ لِجَرِيرٍ فَأَخَذَهُ فَضَرَبَ عُنُقَهُ.

4057 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ بْنُ مُوسَى قَالَ: أَنْبَأَنَا إِسْرَائِيلُ عَنْ مُغِيرَةَ عَنِ الشَّعْبِيِّ عَنْ جَرِيرِ بْنِ عَبْدِ ٱللَّهِ قَالَ: **«إِذَا أَبَقَ الْعَبْدُ إِلَى أَرْضِ الشِّرْكِ فَلاَ ذِمَّةَ لَهُ»**.

[13] The Different Citation-Forms Of The Narration Of Abu Ishaq

4058- It is narrated on the authority of Jarir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When a slave flees away to the land of the pagans, his blood then will become lawful (i.e. he should be killed)."

4059- It is narrated on the authority of Jarir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When a slave flees away to the land of the pagans, his blood then will become lawful (i.e. he should be killed)."

4060- It is narrated on the authority of Jarir Ibn Abdullah that he said: "If a slave flees away to the land of the pagans, his blood then will become lawful (i.e. he should be killed)."

4061- It is narrated on the authority of Jarir Ibn Abdullah that he said: "If a slave flees away to the land of the pagans, his blood then will become lawful (i.e. he should be killed)."

4062- It is narrated on the authority of Jarir Ibn Abdullah that he said: "When a slave flees away from his masters, and joins the land of the enemies, he has indeed caused his blood to be lawful (he should be killed)."

[14] The Judgement Pertaining To The Apostate

4063- It is narrated on the authority of Uthman that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "It is not permissible to make lawful the blood of a Muslim except in one of three cases: a married person who commits adultery, and in this case stoning to death becomes due upon him; a man who kills another intentionally, and in this case retribution should be exacted from him; and a man who renegades from Islam, and in this case, killing becomes due upon him."

4064- It is narrated on the authority of Uthman that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "It is not permissible to make lawful the blood of a Muslim except in one of three cases: a married person who commits adultery (and in this case stoning to death becomes due upon him); a man who kills another intentionally, and in this case he should be killed (in retribution); and a man who becomes an infidel after embracing Islam, and in this case, he should be killed."

4065- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill such as changes his religion (and renegades from Islam)."

(13) ـ الاخْتِلافُ على أبي إسْحَاقَ

4058 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا حُمَيْدُ بْنُ عَبْدِ الرَّحْمٰنِ عَنْ أَبِيهِ عَنْ أَبِي إِسْحَاقَ عَنِ الشَّعْبِيِّ عَنْ جَرِيرٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِذَا أَبَقَ الْعَبْدُ إِلَى أَرْضِ الشِّرْكِ فَقَدْ حَلَّ دَمُهُ»**.

4059 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا قَاسِمٌ قَالَ: حَدَّثَنَا إِسْرَائِيلُ عَنْ أَبِي إِسْحَاقَ عَنْ جَرِيرٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«إِذَا أَبَقَ الْعَبْدُ إِلَى أَرْضِ الشِّرْكِ فَقَدْ حَلَّ دَمُهُ»**.

4060 ـ أَخْبَرَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا خَالِدٌ عَنْ عَبْدِ الرَّحْمٰنِ عَنْ أَبِي إِسْحَاقَ عَنِ الشَّعْبِيِّ عَنْ جَرِيرٍ قَالَ: **«أَيُّمَا عَبْدٍ أَبَقَ إِلَى أَرْضِ الشِّرْكِ فَقَدْ حَلَّ دَمُهُ»**.

4061 ـ أَخْبَرَنِي صَفْوَانُ بْنُ عَمْرٍو قَالَ: حَدَّثَنَا أَحْمَدُ بْنُ خَالِدٍ قَالَ: حَدَّثَنَا إِسْرَائِيلُ عَنْ أَبِي إِسْحَاقَ عَنِ الشَّعْبِيِّ عَنْ جَرِيرٍ قَالَ: **«أَيُّمَا عَبْدٍ أَبَقَ إِلَى أَرْضِ الشِّرْكِ فَقَدْ حَلَّ دَمُهُ»**.

4062 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا شَرِيكٌ عَنْ أَبِي إِسْحَاقَ عَنْ عَامِرٍ عَنْ جَرِيرٍ قَالَ: **«أَيُّمَا عَبْدٍ أَبَقَ مِنْ مَوَالِيهِ وَلَحِقَ بِالْعَدُوِّ فَقَدْ أَحَلَّ بِنَفْسِهِ»**.

(14) ـ الحُكْمُ في المُرْتَدِّ

4063 ـ أَخْبَرَنَا أَبُو الأَزْهَرِ أَحْمَدُ بْنُ الأَزْهَرِ النَّيْسَابُورِيُّ قَالَ: حَدَّثَنَا إِسْحَاقُ بْنُ سُلَيْمَانَ الرَّازِيُّ قَالَ: أَنْبَأَنَا الْمُغِيرَةُ بْنُ مُسْلِمٍ عَنْ مَطَرٍ الْوَرَّاقِ عَنْ نَافِعٍ عَنِ ٱبْنِ عُمَرَ أَنَّ عُثْمَانَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«لاَ يَحِلُّ دَمُ ٱمْرِىءٍ مُسْلِمٍ إِلاَّ بِإِحْدَى ثَلاَثٍ رَجُلٌ زَنَى بَعْدَ إِحْصَانِهِ فَعَلَيْهِ الرَّجْمُ أَوْ قَتَلَ عَمْداً فَعَلَيْهِ الْقَوَدُ أَوِ ٱرْتَدَّ بَعْدَ إِسْلاَمِهِ فَعَلَيْهِ الْقَتْلُ»**.

4064 ـ أَخْبَرَنَا مُؤَمَّلُ بْنُ إِهَابٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَخْبَرَنِي ٱبْنُ جُرَيْجٍ عَنْ أَبِي النَّضْرِ عَنْ بُسْرِ بْنِ سَعِيدٍ عَنْ عُثْمَانَ بْنِ عَفَّانَ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«لاَ يَحِلُّ دَمُ ٱمْرِىءٍ مُسْلِمٍ إِلاَّ بِثَلاَثٍ أَنْ يَزْنِيَ بَعْدَ مَا أُحْصِنَ أَوْ يَقْتُلَ إِنْسَاناً فَيُقْتَلَ أَوْ يَكْفُرَ بَعْدَ إِسْلاَمِهِ فَيُقْتَلَ»**.

4065 ـ أَخْبَرَنَا عِمْرَانُ بْنُ مُوسَى قَالَ: حَدَّثَنَا عَبْدُ الْوَارِثِ قَالَ: حَدَّثَنَا أَيُّوبُ عَنْ عِكْرِمَةَ قَالَ: قَالَ ٱبْنُ عَبَّاسٍ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ بَدَّلَ دِينَهُ فَٱقْتُلُوهُ»**.

4066- It is narrated on the authority of Ikrimah that some people renegaded (from Islam), thereupon Ali Ibn Abu Talib burnt them with the fire. On that Ibn Abbas said: Had I been in his place, I would not have burnt them. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not punish anyone with the punishment of Allah Almighty." Kill had I been in his place, I would have killed them, for indeed, The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill such as changes his religion (and renegades from Islam)."

4067- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill such as changes his religion (and renegades from Islam)."

4068- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill such as changes his religion (and renegades from Islam)."

4069- It is narrated on the authority of Al-Hasan that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill such as changes his religion (and renegades from Islam)."

4070- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill such as changes his religion (and renegades from Islam)."

4071- It is narrated on the authority of Anas that some people from Zutt were brought to Ali, and they worshipped an idol (after they had embraced Islam), thereupon he burnt them. On that Ibn Abbas said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Kill such as changes his religion (and renegades from Islam)."

4072- It is narrated on the authority of Abu Musa Al-Ash'ari that The Messenger of Allah "Allah's blessing and peace be upon him" sent him to Yemen (to be in charge of its affairs), and then he sent Mu'adh Ibn Jabal after him (to assist him). When he arrived, he said: "O people! I'm the messenger of The Messenger of Allah "Allah's blessing and peace be upon him" sent to you." Abu Musa placed a cushion for him to sit down. At the same time, a previously Jew who embraced Islam and then he renegaded, was brought to him, thereupon Mu'adh said: "I would not sit down until he is killed, in accordance with the judgement of Allah and His Messenger." He said it thrice. When he was killed, he sat down.

4073- It is narrated on the authority of Mus'ab Ibn Sa'd from his father that he said: When it was the day of the conquest of Mecca, The Messenger of Allah "Allah's blessing and peace be upon him" gave security to all of the

4066 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْمُبَارَكِ قَالَ: حَدَّثَنَا أَبُو هِشَامٍ قَالَ: حَدَّثَنَا وُهَيْبٌ قَالَ: حَدَّثَنَا أَيُّوبُ عَنْ عِكْرِمَةَ: أَنَّ نَاساً ٱرْتَدُّوا عَنِ الإِسْلاَمِ فَحَرَّقَهُمْ عَلِيٌّ بِالنَّارِ. قَالَ ٱبْنُ عَبَّاسٍ: لَوْ كُنْتُ أَنَا لَمْ أُحَرِّقْهُمْ؛ قَالَ رَسُولُ ٱللَّهِ ﷺ: «**لاَ تُعَذِّبُوا بِعَذَابِ ٱللَّهِ أَحَداً**» وَلَوْ كُنْتُ أَنَا لَقَتَلْتُهُمْ، قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ بَدَّلَ دِينَهُ فَٱقْتُلُوهُ**».

4067 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ قَالَ: أَنْبَأَنَا ابْنُ جُرَيْجٍ قَالَ: أَنْبَأَنَا إِسْمَاعِيلُ عَنْ مَعْمَرٍ عَنْ أَيُّوبَ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ**».

4068 ـ أَخْبَرَنِي هِلاَلُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَبْدِ ٱللَّهِ بْنِ زُرَارَةَ قَالَ: حَدَّثَنَا عَبَّادُ بْنُ الْعَوَّامِ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ**».

4069 ـ أَخْبَرَنَا مُوسَى بْنُ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ قَالَ: حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ عَنِ الْحَسَنِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ بَدَّلَ دِينَهُ فَٱقْتُلُوهُ**».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: وَهٰذَا أَوْلَى بِالصَّوَابِ مِنْ حَدِيثِ عَبَّادٍ.

4070 ـ أَخْبَرَنَا الْحُسَيْنُ بْنُ عِيسَى عَنْ عَبْدِ الصَّمَدِ قَالَ: حَدَّثَنَا هِشَامٌ عَنْ قَتَادَةَ عَنْ أَنَسٍ أَنَّ ٱبْنَ عَبَّاسٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ بَدَّلَ دِينَهُ فَٱقْتُلُوهُ**».

4071 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا عَبْدُ الصَّمَدِ قَالَ: حَدَّثَنَا هِشَامٌ عَنْ قَتَادَةَ عَنْ أَنَسٍ: أَنَّ عَلِيّاً أُتِيَ بِنَاسٍ مِنَ الزُّطِّ يَعْبُدُونَ وَثَناً فَأَحْرَقَهُمْ». قَالَ ٱبْنُ عَبَّاسٍ: إِنَّمَا قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ**».

4072 ـ حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ وَحَدَّثَنِي حَمَّادُ بْنُ مَسْعَدَةَ قَالاَ: حَدَّثَنَا قُرَّةُ بْنُ خَالِدٍ عَنْ حُمَيْدِ بْنِ هِلاَلٍ عَنْ أَبِي بُرْدَةَ بْنِ أَبِي مُوسَى الأَشْعَرِيِّ عَنْ أَبِيهِ: أَنَّ النَّبِيَّ ﷺ بَعَثَهُ إِلَى الْيَمَنِ ثُمَّ أَرْسَلَ مُعَاذَ بْنَ جَبَلٍ بَعْدَ ذٰلِكَ فَلَمَّا قَدِمَ قَالَ: أَيُّهَا النَّاسُ إِنِّي رَسُولُ رَسُولِ ٱللَّهِ ﷺ فَأَلْقَى لَهُ أَبُو مُوسَى وِسَادَةً لِيَجْلِسَ عَلَيْهَا فَأُتِيَ بِرَجُلٍ كَانَ يَهُودِيّاً فَأَسْلَمَ ثُمَّ كَفَرَ فَقَالَ مُعَاذٌ: لاَ أَجْلِسُ حَتَّى يُقْتَلَ قَضَاءُ ٱللَّهِ وَرَسُولِهِ ثَلاَثَ مَرَّاتٍ فَلَمَّا قُتِلَ قَعَدَ.

4073 ـ أَخْبَرَنَا الْقَاسِمُ بْنُ زَكَرِيَّا بْنِ دِينَارٍ قَالَ: حَدَّثَنِي أَحْمَدُ بْنُ مُفَضَّلٍ قَالَ: حَدَّثَنَا أَسْبَاطُ قَالَ: زَعَمَ السُّدِّيُّ عَنْ مُصْعَبِ بْنِ سَعْدٍ عَنْ أَبِيهِ قَالَ: لَمَّا كَانَ يَوْمُ فَتْحِ مَكَّةَ

people barring four men and two women, and said: "Kill them even though you find them hanging in the curtains of the Ka'bah." They were: Ikrimah Ibn Abu Jahl, Abdullah Ibn Khatal, Maqis Ibn Subabah, and Abdullah Ibn Sa'd Ibn Abu Sarh. As for Abdullah Ibn Khatal, he was caught while hanging in the curtains of the Ka'bah, and both Sa'id Ibn Huraith and Ammar Ibn Yasir hastened as in a race to kill him, but Sa'id, who was younger, preceded Ammar and killed him. As to Maqis Ibn Subabah, he was caught by the people in the market and killed there. As for Ikrimah, he sailed aboard the sea, and they were attacked by a tempestuous storm, thereupon the people of the ship said: "Be pure in faith, for your gods will not avail you here in the least." Ikrimah said: "By Allah! If nothing barring the purity of faith should save me in the sea, then, nothing other than it will save me in the land. O Allah! I pledge that if You deliver me here, I will come to Muhammad "Allah's blessing and peace be upon him" and put my hand into his (and give him the pledge of allegiance), and of a surety, I will find him oft forgiving, most generous." He then came and embraced Islam. As for Abdullah Ibn Sa'd Ibn Abu Sarh, he was hidden in the house of Uthman Ibn Affan, and when The Messenger of Allah "Allah's blessing and peace be upon him" called the people to come and give him the pledge of allegiance, he brought him, and made him stand near The Messenger of Allah "Allah's blessing and peace be upon him", and said: "O Messenger of Allah! Accept the pledge of allegiance from Abdullah!" he raised his head, and caught a glimpse of him. This happened thrice, at each of which he refused to accept it from him, after which he accepted from him the pledge of allegiance. Then, he faced his companions and said: "Is there not among you a sound-minded man to stand to this man and kill him when he saw me having withheld my hand from accepting from him the pledge of allegiance?" they said: "O Messenger of Allah! How does we come to know such intention as you have in yourself? Why have you not hinted to us with the help of your eye?" on that he said: "It is not fitting for a Prophet to have eye-tricks."

[15] The Repentance Of The Apostate

4074- It is narrated on the authority of Ibn Abbas that a man from amongst the Ansar embraced Islam and then he renegaded from Islam and joined the pagans. But later he regretted and sent to his people a message in which he said: "Ask for me The Messenger of Allah "Allah's blessing and peace be upon him" whether my repentance would be accepted (if I turn to Allah in repentance)." His people went to The Messenger of Allah "Allah's blessing and peace be upon him" and said to him: "So and so showed regret, and he told us to ask you whether his repentance would be accepted (if he turned to Allah in repentance)." On that occasion the following was revealed:

أَمَّنَ رَسُولُ ٱللَّهِ ﷺ النَّاسَ إِلاَّ أَرْبَعَةَ نَفَرٍ وَٱمْرَأَتَيْنِ وَقَالَ: «**ٱقْتُلُوهُمْ وَإِنْ وَجَدْتُمُوهُمْ مُتَعَلِّقِينَ بِأَسْتَارِ الْكَعْبَةِ**»: عِكْرِمَةُ بْنُ أَبِي جَهْلٍ، وَعَبْدُ ٱللَّهِ بْنُ خَطَلٍ، وَمِقْيَسُ بْنُ صُبَابَةَ، وَعَبْدُ ٱللَّهِ بْنُ سَعْدِ بْنِ أَبِي السَّرْحِ، فَأَمَّا عَبْدُ ٱللَّهِ بْنُ خَطَلٍ فَأُدْرِكَ وَهُوَ مُتَعَلِّقٌ بِأَسْتَارِ الْكَعْبَةِ فَٱسْتَبَقَ إِلَيْهِ سَعِيدُ بْنُ حُرَيْثٍ وَعَمَّارُ بْنُ يَاسِرٍ فَسَبَقَ سَعِيدٌ عَمَّاراً وَكَانَ أَشَبَّ الرَّجُلَيْنِ فَقَتَلَهُ، وَأَمَّا مِقْيَسُ بْنُ صُبَابَةَ فَأَدْرَكَهُ النَّاسُ فِي السُّوقِ فَقَتَلُوهُ، وَأَمَّا عِكْرِمَةُ فَرَكِبَ الْبَحْرَ فَأَصَابَتْهُمْ عَاصِفٌ فَقَالَ أَصْحَابُ السَّفِينَةِ: أَخْلِصُوا فَإِنَّ آلِهَتَكُمْ لاَ تُغْنِي عَنْكُمْ شَيْئاً هٰهُنَا فَقَالَ عِكْرِمَةُ: وَٱللَّهِ لَئِنْ لَمْ يُنَجِّنِي مِنَ الْبَحْرِ إِلاَّ الإِخْلاَصُ لاَ يُنَجِّينِي فِي الْبَرِّ غَيْرُهُ اللَّهُمَّ إِنَّ لَكَ عَلَيَّ عَهْداً إِنْ أَنْتَ عَافَيْتَنِي مِمَّا أَنَا فِيهِ أَنْ آتِيَ مُحَمَّداً ﷺ حَتَّى أَضَعَ يَدِي فِي يَدِهِ فَلأَجِدَنَّهُ عَفُوّاً كَرِيماً فَجَاءَ فَأَسْلَمَ، وَأَمَّا عَبْدُ ٱللَّهِ بْنُ سَعْدِ بْنِ أَبِي السَّرْحِ، فَإِنَّهُ ٱخْتَبَأَ عِنْدَ عُثْمَانَ بْنِ عَفَّانٍ، فَلَمَّا دَعَا رَسُولُ ٱللَّهِ ﷺ النَّاسَ إِلَى الْبَيْعَةِ جَاءَ بِهِ حَتَّى أَوْقَفَهُ عَلَى النَّبِيِّ ﷺ قَالَ: يَا رَسُولَ ٱللَّهِ بَايِعْ عَبْدَ ٱللَّهِ قَالَ: فَرَفَعَ رَأْسَهُ فَنَظَرَ إِلَيْهِ ثَلاَثاً، كُلَّ ذٰلِكَ يَأْبَى فَبَايَعَهُ بَعْدَ ثَلاَثٍ، ثُمَّ أَقْبَلَ عَلَى أَصْحَابِهِ فَقَالَ: «**أَمَا كَانَ فِيكُمْ رَجُلٌ رَشِيدٌ يَقُومُ إِلَى هٰذَا حَيْثُ رَآنِي كَفَفْتُ يَدِي عَنْ بَيْعَتِهِ فَيَقْتُلَهُ؟**» فَقَالُوا: وَما يُدْرِينَا يَا رَسُولَ ٱللَّهِ مَا فِي نَفْسِكَ هَلاَّ أَوْمَأْتَ إِلَيْنَا بِعَيْنِكَ قَالَ: «**إِنَّهُ لاَ يَنْبَغِي لِنَبِيٍّ أَنْ يَكُونَ لَهُ خَائِنَةُ أَعْيُنٍ**».

(15) ـ تَوْبَةُ الْمُرْتَدِّ

4074 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ زُرَيْعٍ قَالَ: أَنْبَأَنَا دَاوُدُ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ قَالَ: كَانَ رَجُلٌ مِنَ الأَنْصَارِ أَسْلَمَ ثُمَّ ٱرْتَدَّ وَلَحِقَ بِالشِّرْكِ ثُمَّ تَنَدَّمَ فَأَرْسَلَ إِلَى قَوْمِهِ سَلُوا لِي رَسُولَ ٱللَّهِ ﷺ هَلْ لِي مِنْ تَوْبَةٍ؟ فَجَاءَ قَوْمُهُ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالُوا: إِنَّ فُلاَناً قَدْ نَدِمَ وَإِنَّهُ أَمَرَنَا أَنْ نَسْأَلَكَ

" How shall Allah guide those who reject Faith after they accepted it and bore witness that the Messenger was true and that Clear Signs had come unto them? But Allah guides not a people unjust... Except for those that repent (even) after that, and make amends; for verily Allah is Oft-Forgiving, Most Merciful." (Al Imran 86:89) he sent (with that) to him, thereupon he embraced Islam (once again).

4075- It is narrated on the authority of Ibn Abbas that pertaining to Allah's saying in the Surah of An-Nahl: " Anyone who, after accepting Faith in Allah, utters Unbelief, - except under compulsion, his heart remaining firm in Faith - but such as open their breast to Unbelief, on them is Wrath from Allah, and theirs will be a dreadful Penalty" (106), it was partially abrogated by the following, with such exception as shown in it: " But verily your Lord, - to those who leave their homes after trials and persecutions, and who thereafter strive and fight for the Faith and patiently persevere – your Lord, after all this is Oft-Forgiving, Most Merciful." (110) the one meant here is Abdullah Ibn Sa'd Ibn Abu Sarh, who was the governor of Egypt (after Amr Ibn Al-As): he was one of the scribes of the Divine Revelation of The Messenger of Allah "Allah's blessing and peace be upon him". But Satan caused him to slip away, and he joined the infidels, and the Prophet ordered that he be killed on the day of the conquest (of Mecca). But Uthman Ibn Affan asked security for him, and The Messenger of Allah "Allah's blessing and peace be upon him" gave him security.

[16] The Judgement Pertaining To Such As Insults The Prophet

4076- It is narrated on the authority of Uthman Ash-Shahham that he said: I was leading a blind man, until I reached (the gathering of) Ikrimah, who told us from Ibn Abbas that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him" there was a blind man who had a (slave-girl who gave birth of a child from him and thus became) a child's mother, from whom he had two children. She used to abuse the Messenger of Allah "Allah's blessing and peace be upon him" and insult him, and every time he forbade her, she would not desist, and every time he scolded her, she would not stop from that. (He said) When it was one night, I made a mention of the Messenger of Allah "Allah's blessing and peace be upon him" thereupon she went on abusing and insulting him, thereupon I could not keep patient: I stood up, picked up the knife and placed (the edge of the blade of) it into her abdomen and reclined against it, with the result that I killed her, and thus she was murdered. When it was morning, a mention of that was made to the Messenger of Allah "Allah's blessing and peace be upon him", who gathered the people and said: "I beseech you by

هَلْ لَهُ مِنْ تَوْبَةٍ؟ فَنَزَلَتْ ﴿كَيْفَ يَهْدِى ٱللَّهُ قَوْمًا كَفَرُوا۟ بَعْدَ إِيمَـٰنِهِمْ﴾ إِلَى قَوْلِهِ ﴿غَفُورٌ رَّحِيمٌ﴾ [آل عمران، الآيات: 86 - 89] فَأَرْسَلَ إِلَيْهِ فَأَسْلَمَ.

4075 ـ أَخْبَرَنَا زَكَرِيَّا بْنُ يَحْيَى قَالَ: حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَلِيُّ بْنُ الْحُسَيْنِ بْنِ وَاقِدٍ قَالَ: أَخْبَرَنِي أَبِي عَنْ يَزِيدَ النَّحْوِيِّ عَنْ عِكْرِمَةَ عَنِ ٱبْنِ عَبَّاسٍ قَالَ فِي سُورَةِ النَّحْلِ: ﴿مَن كَفَرَ بِٱللَّهِ مِنۢ بَعْدِ إِيمَـٰنِهِۦٓ إِلَّا مَنْ أُكْرِهَ﴾ إِلَى قَوْلِهِ: ﴿وَلَهُمْ عَذَابٌ عَظِيمٌ ﴿١٠٦﴾﴾ [النحل، الآية: 106] فَنُسِخَ وَٱسْتَثْنَى مِنْ ذَٰلِكَ. فَقَالَ: ﴿ثُمَّ إِنَّ رَبَّكَ لِلَّذِينَ هَاجَرُوا۟ مِنۢ بَعْدِ مَا فُتِنُوا۟ ثُمَّ جَـٰهَدُوا۟ وَصَبَرُوٓا۟ إِنَّ رَبَّكَ مِنۢ بَعْدِهَا لَغَفُورٌ رَّحِيمٌ ﴿١١٠﴾﴾ [النحل، الآية: 110] وَهُوَ عَبْدُ ٱللَّهِ بْنُ سَعْدِ بْنِ أَبِي سَرْحٍ الَّذِي كَانَ عَلَى مِصْرَ كَانَ يَكْتُبُ لِرَسُولِ ٱللَّهِ ﷺ فَأَزَلَّهُ الشَّيْطَانُ فَلَحِقَ بِالْكُفَّارِ فَأَمَرَ بِهِ أَنْ يُقْتَلَ يَوْمَ الْفَتْحِ فَٱسْتَجَارَ لَهُ عُثْمَانُ بْنُ عَفَّانَ فَأَجَارَهُ رَسُولُ ٱللَّهِ ﷺ.

(16) ـ الْحُكْمُ فِيمَنْ سَبَّ النَّبِيَّ ﷺ

4076 ـ أَخْبَرَنَا عُثْمَانُ بْنُ عَبْدِ ٱللَّهِ قَالَ: حَدَّثَنَا عَبَّادُ بْنُ مُوسَى قَالَ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنِي إِسْرَائِيلُ عَنْ عُثْمَانَ الشَّحَّامِ قَالَ: كُنْتُ أَقُودُ رَجُلاً أَعْمَى فَانْتَهَيْتُ إِلَى عِكْرِمَةَ فَأَنْشَأَ يُحَدِّثُنَا قَالَ: حَدَّثَنِي ٱبْنُ عَبَّاسٍ أَنَّ أَعْمَى كَانَ عَلَى عَهْدِ رَسُولِ ٱللَّهِ ﷺ وَكَانَتْ لَهُ أُمُّ وَلَدٍ، وَكَانَ لَهُ مِنْهَا ابْنَانِ، وَكَانَتْ تُكْثِرُ الْوَقِيعَةَ بِرَسُولِ ٱللَّهِ ﷺ وَتَسُبُّهُ فَيَزْجُرُهَا فَلاَ تَنْزَجِرُ وَيَنْهَاهَا فَلاَ تَنْتَهِي، فَلَمَّا كَانَ ذَاتُ لَيْلَةٍ ذَكَرَتْ النَّبِيَّ ﷺ فَوَقَعَتْ فِيهِ فَلَمْ أَصْبِرْ أَنْ قُمْتُ إِلَى الْمِغْوَلِ فَوَضَعْتُهُ فِي بَطْنِهَا فَاتَّكَأْتُ عَلَيْهِ فَقَتَلْتُهَا فَأَصْبَحَتْ قَتِيلاً فَذُكِرَ ذَلِكَ لِلنَّبِيِّ ﷺ فَجَمَعَ النَّاسَ وَقَالَ أَنْشُدُ

Allah that anyone who has done this, upon whom I have a right, should stand up." The blind man stood up passing over the people while wavering until he stood in front of the Messenger of Allah "Allah's blessing and peace be upon him". He said: "O Messenger of Allah! I'm her master, and she is the mother of my two sons, and at the same time she was kindly gentle towards me, and I have two sons from her (as pretty and beautiful) as two pearls. But even, she used to abuse and insult you, and every time I forbade her, she would not desist, and every time I scolded her, she would not stop from that. When it was the last night, I made a mention of you, and she went on abusing and insulting you, thereupon I picked up the knife and placed (the edge of the blade of) it into her abdomen and reclined against it, and I killed her." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Behold! Be witnesses to the fact that her blood has been lawful (to be shed)."

4077- It is narrated on the authority of Abu Barzah Al-Aslami that he said: A man spoke harshly to Abu Bakr As-Siddiq (while he was the caliph), thereupon I said to him: "Let me kill him!" he repulsed me and said: "This (killing only for insult) is not fitting for anyone after the Messenger of Allah "Allah's blessing and peace be upon him"."

[17] The Different Citation-Forms Of The Narration Of Al-A'mash

4078- It is narrated on the authority of Abu Barzah that he said: Abu Bakr grew angry with a man, thereupon I said: "Who is he O successor of the Messenger of Allah?" he asked me: "Why?" I said: "In order to chop off his head if you order me to do so." He asked me: "Would you have done so had I ordered you to do?" I said: "Yes." By Allah, the severity of my word removed his anger and He said: "It (such an order) is not befitting for anyone after Muhammad "Allah's blessing and peace be upon him"."

4079- It is narrated on the authority of Abu Barzah that he said: I came upon Abu Bakr and he had grown angry with a man from amongst his companions, thereupon I said: "Who is he with whom you've grown angry O successor of the Messenger of Allah?" he asked me: "Why do you ask?" I said: "In order to chop off his head." By Allah, the severity of my word removed his anger and He said: "It (such an order) is not befitting for anyone after Muhammad "Allah's blessing and peace be upon him"."

4080- It is narrated on the authority of Abu Barzah that he said: Abu Bakr grew angry with a man, thereupon I said: "If you give me order, I would do (i.e. chop off his head)." On that He said: "By Allah! This is not befitting for anyone after Muhammad "Allah's blessing and peace be upon him"."

ٱللَّهَ رَجُلاً لِي عَلَيْهِ حَقٌّ فَعَلَ مَا فَعَلَ إلاَّ قَامَ فَأَقْبَلَ الأَعْمَى يَتَدَلْدَلُ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَنَا صَاحِبُهَا كَانَتْ أُمَّ وَلَدِي وَكَانَتْ بِي لَطِيفَةً رَفِيقَةً وَلِي مِنْهَا ٱبْنَانِ مِثْلُ اللُّؤْلُؤَتَيْنِ وَلٰكِنَّهَا كَانَتْ تُكْثِرُ الْوَقِيعَةَ فِيكَ وَتَشْتُمُكَ فَأَنْهَاهَا فَلاَ تَنْتَهِي وَأَزْجُرُهَا فَلاَ تَنْزَجِرُ، فَلَمَّا كَانَتْ الْبَارِحَةَ ذَكَرْتُكَ فَوَقَعَتْ فِيكَ فَقُمْتُ إِلَى الْمِغْوَلِ فَوَضَعْتُهُ فِي بَطْنِهَا فَاتَّكَأْتُ عَلَيْهَا حَتَّى قَتَلْتُهَا فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«أَلاَ ٱشْهَدُوا أَنَّ دَمَهَا هَدَرٌ»**.

4077 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا مُعَاذُ بْنُ مُعَاذٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ تَوْبَةَ الْعَنْبَرِيِّ عَنْ عَبْدِ ٱللَّهِ بْنِ قُدَامَةَ بْنِ عَنَزَةَ عَنْ أَبِي بَرْزَةَ الأَسْلَمِيِّ قَالَ: أَغْلَظَ رَجُلٌ لأَبِي بَكْرٍ الصِّدِّيقِ فَقُلْتُ: أَقْتُلُهُ فَٱنْتَهَرَنِي وَقَالَ: لَيْسَ هٰذَا لأَحَدٍ بَعْدَ رَسُولِ ٱللَّهِ ﷺ.

(17) ـ ذِكْرُ الاخْتِلافِ على الأَعْمَشِ في هذا الحَدِيثِ

4078 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ عَمْرِو بْنِ مُرَّةَ عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ عَنْ أَبِي بَرْزَةَ قَالَ: تَغَيَّظَ أَبُو بَكْرٍ عَلَى رَجُلٍ فَقُلْتُ: مَنْ هُوَ يَا خَلِيفَةَ رَسُولِ ٱللَّهِ؟ قَالَ: لِمَ؟ قُلْتُ: لأَضْرِبَ عُنُقَهُ إِنْ أَمَرْتَنِي بِذٰلِكَ قَالَ: أَفَكُنْتَ فَاعِلاً؟ قُلْتُ: نَعَمْ قَالَ: فَوَاللَّهِ لأَذْهَبَ عِظَمُ كَلِمَتِي الَّتِي قُلْتُ غَضَبَهُ ثُمَّ قَالَ: مَا كَانَ لأَحَدٍ بَعْدَ مُحَمَّدٍ ﷺ.

4079 ـ أَخْبَرَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا يَعْلَى قَالَ: حَدَّثَنَا الأَعْمَشُ عَنْ عَمْرِو بْنِ مُرَّةَ عَنْ أَبِي الْبَخْتَرِيِّ عَنْ أَبِي بَرْزَةَ قَالَ: مَرَرْتُ عَلَى أَبِي بَكْرٍ وَهُوَ مُتَغَيِّظٌ عَلَى رَجُلٍ مِنْ أَصْحَابِهِ فَقُلْتُ: يَا خَلِيفَةَ رَسُولِ ٱللَّهِ مَنْ هٰذَا الَّذِي تَغَيَّظْتَ عَلَيْهِ؟ قَالَ: وَلِمَ تَسْأَلُ؟ قُلْتُ: أَضْرِبُ عُنُقَهُ قَالَ: فَوَٱللَّهِ لأَذْهَبَ عِظَمُ كَلِمَتِي غَضَبَهُ ثُمَّ قَالَ: مَا كَانَتْ لأَحَدٍ بَعْدَ مُحَمَّدٍ ﷺ.

4080 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ يَحْيَى بْنِ حَمَّادٍ قَالَ: حَدَّثَنَا أَبُو عَوَانَةَ عَنْ سُلَيْمَانَ عَنْ عَمْرِ بْنِ مُرَّةَ عَنْ أَبِي الْبَخْتَرِيِّ عَنْ أَبِي بَرْزَةَ قَالَ: تَغَيَّظَ أَبُو بَكْرٍ عَلَى رَجُلٍ فَقَالَ: لَوْ أَمَرْتَنِي لَفَعَلْتُ قَالَ: أَمَا وَٱللَّهِ مَا كَانَتْ لِبَشَرٍ بَعْدَ مُحَمَّدٍ ﷺ.

4081- It is narrated on the authority of Abu Barzah that he said: Abu Bakr grew so much angry with a man, that the colour of his face changed. I said: "O successor of the Messenger of Allah! If you order me, I would chop off his head." It seemed as if cold water was poured over him, and his anger was over. He said: "Let your mother be bereaved of you O Abu Barzah! This is not befitting for anyone after the Messenger of Allah "Allah's blessing and peace be upon him"."

4082- It is narrated on the authority of Abu Barzah that he said: I came upon Abu Bakr and he has spoken severely with a man, who replied to him harshly. I said to him: "Should I not chop off his head?" he repulsed me and said: " This is not befitting for anyone after the Messenger of Allah "Allah's blessing and peace be upon him"."

4083- It is narrated on the authority of Abu Barzah that he said: We were sitting in the house of Abu Bakr when he grew so much angry with a man from amongst the Muslims, and when I observed the signs of anger on his face I said to him: "Give me permission, O successor of the Messenger of Allah to chop off his head." When he saw me having mentioned the killing, he stopped from that speech, and changed into another subject. When we dispersed, he sent to me and asked: "O Abu Barzah! What have you said a while ago?" I forgot what I had said, so I said to me: "Remind me of it." He said: "Do you not remember what you've said?" I said: "No, by Allah." He said: "When you saw me having grown angry with a man, you said: "Give me permission, O successor of the Messenger of Allah, to chop off his head." Do you not remember that? Would you have done so had I ordered you to do?" I said: "Yes, by Allah, and now, if you order me to do so, I would do." On that he said: "By Allah: it (such an order) is not befitting for anyone after Muhammad "Allah's blessing and peace be upon him"."

[18] What About Magic?

4084- It is narrated on the authority of Safwan Ibn Assal that he said: A Jew said to his companion: "Let's go to this Prophet." He said: "Do not say Prophet, for if he hears that, he will come to have four eyes (out of the excessive joy and happiness)." They came to the Messenger of Allah "Allah's blessing and peace be upon him", and asked him about nine clear sings, thereupon he said to them: "Join nothing with Allah (in service), commit not theft, commit not adultery, kill not the soul which Allah Almighty ahs forbidden except legally (i.e. with just cause), bring not an innocent one to such as endued with the power of authority, practice not sorcery, devour not usury, launch not a false charge against a chaste woman, and flee away not (from the battlefield) on the day of fight; and as for you O

4081 ـ أَخْبَرَنَا مُعَاوِيَةُ بْنُ صَالِحٍ الأَشْعَرِيُّ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا عُبَيْدُ ٱللَّهِ عَنْ زَيْدٍ عَنْ عَمْرِو بْنِ مُرَّةَ عَنْ أَبِي نَضْرَةَ عَنْ أَبِي بَرْزَةَ قَالَ: غَضِبَ أَبُو بَكْرٍ عَلَى رَجُلٍ غَضَباً شَدِيداً حَتَّى تَغَيَّرَ لَوْنُهُ قُلْتُ: يَا خَلِيفَةَ رَسُولِ ٱللَّهِ وَٱللَّهِ لَئِنْ أَمَرْتَنِي لأَضْرِبَنَّ عُنُقَهُ فَكَأَنَّمَا صُبَّ عَلَيْهِ مَاءٌ بَارِدٌ فَذَهَبَ غَضَبُهُ عَنِ الرَّجُلِ قَالَ: ثَكِلَتْكَ أُمُّكَ أَبَا بَرْزَةَ وَإِنَّهَا لَمْ تَكُنْ لأَحَدٍ بَعْدَ رَسُولِ ٱللَّهِ ﷺ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا خَطَأٌ وَالصَّوَابُ أَبُو نَصْرٍ وَٱسْمُهُ حُمَيْدُ بْنُ هِلاَلٍ خَالَفَهُ شُعْبَةُ.

4082 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ أَبِي دَاوُدَ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ عَمْرِو بْنِ مُرَّةَ قَالَ: سَمِعْتُ أَبَا نَصْرٍ يُحَدِّثُ عَنْ أَبِي بَرْزَةَ قَالَ: أَتَيْتُ عَلَى أَبِي بَكْرٍ وَقَدْ أَغْلَظَ لِرَجُلٍ فَرَدَّ عَلَيْهِ فَقُلْتُ: أَلاَ أَضْرِبُ عُنُقَهُ؟ فَٱنْتَهَرَنِي فَقَالَ: إِنَّهَا لَيْسَتْ لأَحَدٍ بَعْدَ رَسُولِ ٱللَّهِ ﷺ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: أَبُو نَصْرٍ حُمَيْدُ بْنُ هِلاَلٍ وَرَوَاهُ عَنْ يُونُسَ بْنِ عُبَيْدٍ فَأَسْنَدَهُ.

4083 ـ أَخْبَرَنِي أَبُو دَاوُدَ قَالَ: حَدَّثَنَا عَفَّانُ قَالَ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ قَالَ: حَدَّثَنَا يُونُسُ بْنُ عُبَيْدٍ عَنْ حُمَيْدِ بْنِ هِلاَلٍ عَنْ عَبْدِ ٱللَّهِ بْنِ مُطَرِّفِ بْنِ الشِّخِّيرِ عَنْ أَبِي بَرْزَةَ الأَسْلَمِيِّ أَنَّهُ قَالَ: كُنَّا عِنْدَ أَبِي بَكْرٍ الصِّدِّيقِ فَغَضِبَ عَلَى رَجُلٍ مِنَ الْمُسْلِمِينَ فَٱشْتَدَّ غَضَبُهُ عَلَيْهِ جِداً فَلَمَّا رَأَيْتُ ذٰلِكَ قُلْتُ: يَا خَلِيفَةَ رَسُولِ ٱللَّهِ أَضْرِبُ عُنُقَهُ؟ فَلَمَّا ذَكَرْتُ الْقَتْلَ أَضْرَبَ عَنْ ذٰلِكَ الْحَدِيثِ أَجْمَعَ إِلَى غَيْرِ ذٰلِكَ مِنَ النَّحْوِ فَلَمَّا تَفَرَّقْنَا أَرْسَلَ إِلَيَّ فَقَالَ: يَا أَبَا بَرْزَةَ مَا قُلْتَ؟ وَنَسِيتُ الَّذِي قُلْتُ قُلْتُ: ذَكِّرْنِيهِ قَالَ: أَمَا تَذْكُرُ؟ مَا قُلْتَ؟ قُلْتُ: لاَ وَٱللَّهِ قَالَ: أَرَأَيْتَ حِينَ رَأَيْتَنِي غَضِبْتُ عَلَى رَجُلٍ فَقُلْتُ: أَضْرِبُ عُنُقَهُ يَا خَلِيفَةَ رَسُولِ ٱللَّهِ؟ أَمَا تَذْكُرُ ذٰلِكَ؟ أَوَكُنْتَ فَاعِلاً ذٰلِكَ؟ قُلْتُ: نَعَمْ وَٱللَّهِ وَالآنَ إِنْ أَمَرْتَنِي فَعَلْتُ قَالَ: وَٱللَّهِ مَا هِيَ لأَحَدٍ بَعْدَ مُحَمَّدٍ ﷺ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا الْحَدِيثُ أَحْسَنُ الأَحَادِيثِ وَأَجْوَدُهَا وَٱللَّهُ تَعَالَى أَعْلَمُ.

(18) ـ السِّحْرُ

4084 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ عَنِ ٱبْنِ إِدْرِيسَ قَالَ: أَنْبَأَنَا شُعْبَةُ عَنْ عَمْرِو بْنِ مُرَّةَ عَنْ عَبْدِ ٱللَّهِ بْنِ سَلَمَةَ عَنْ صَفْوَانَ بْنِ عَسَّالٍ قَالَ: قَالَ يَهُودِيٌّ لِصَاحِبِهِ: اذْهَبْ بِنَا إِلَى هٰذَا النَّبِيِّ. قَالَ لَهُ صَاحِبُهُ: لاَ تَقُلْ نَبِيٌّ لَوْ سَمِعَكَ كَانَ لَهُ أَرْبَعَةُ أَعْيُنٍ فَأَتَيَا رَسُولَ ٱللَّهِ ﷺ وَسَأَلاَهُ عَنْ تِسْعِ آيَاتٍ بَيِّنَاتٍ فَقَالَ لَهُمْ: «**لاَ تُشْرِكُوا بِاللَّهِ شَيْئاً وَلاَ تَسْرِقُوا وَلاَ تَزْنُوا وَلاَ تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ ٱللَّهُ إِلاَّ بِالْحَقِّ وَلاَ تَمْشُوا بِبَرِيءٍ إِلَى ذِي سُلْطَانٍ وَلاَ تَسْحَرُوا وَلاَ تَأْكُلُوا الرِّبَا وَلاَ تَقْذِفُوا الْمُحْصَنَةَ، وَلاَ تَوَلَّوْا يَوْمَ الزَّحْفِ**

Jews in particular, do not transgress the due limits on Sabbath." They both kissed his hands and feet and said: "We bear witness that you are really a Prophet." He asked them: "Then, what does prevent you from following me?" they said: "(The Prophet) David pretended that there still remains a Prophet to come from amongst his offspring, and we are afraid that if we follow you, the Jews would kill us."

[19] The Judgement Pertaining To The Sorcerers

4085- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who makes a knot into which he breathes, has, indeed, practiced sorcery; and whoever practices sorcery has, indeed, joined things with Allah (in service); and he, who hangs anything (in his neck), he will be entrusted to it."

[20] The Sorcerers From Amongst The People Of Scripture

4086- It is narrated on the authority of Zaid Ibn Arqam that he said: One from amongst the Jews practiced sorcery upon the Messenger of Allah "Allah's blessing and peace be upon him", and he complained from its effect for many days, after which Gabriel "Peace be upon him" came to him and said: "A man from amongst the Jews practiced sorcery upon you: he has made knots for you in such and such a well." the Messenger of Allah "Allah's blessing and peace be upon him" sent (some men) and they took them out, and they were brought to the Messenger of Allah "Allah's blessing and peace be upon him", thereupon the Messenger of Allah "Allah's blessing and peace be upon him" recovered as if he was released from a chain. He made no mention of that to this Jew, nor did he see him face to face.

[21] What Should One Do If His Property Is Attacked?

4087- It is narrated on the authority of Qabus Ibn Mukhariq from his father that a man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "(Tell me: if) A man comes to usurp my property (what should I do?)" he said: "Remind him of Allah Almighty." He said: "But if he does not receive admonition (therewith he should leave me: what should I do?)" he said: "Then, seek the help of such of Muslims as around you against him." He said: "But if there is none of the Muslims around me (what should I do?)" he said: "Then, seek the help of the ruler against him." He said: "But if the ruler is far away from me (what should I do?)" he said: "Then, fight in defense of your property until you will be one of the martyrs of the hereafter, or protect your property (from being usurped)."

4088- It is narrated on the authority of Abu Hurairah that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him"

وَعَلَيْكُمْ خَاصَّةً يَهُودُ أَنْ لاَ تَعْدُوا فِي السَّبْتِ» فَقَبَّلُوا يَدَيْهِ وَرِجْلَيْهِ وَقَالُوا نَشْهَدُ أَنَّكَ نَبِيٌّ قَالَ: «فَمَا يَمْنَعُكُمْ أَنْ تَتَّبِعُونِي؟» قَالُوا: إِنَّ دَاوُدَ دَعَا بِأَنْ لاَ يَزَالَ مِنْ ذُرِّيَّتِهِ نَبِيٌّ وَإِنَّا نَخَافُ إِنِ اتَّبَعْنَاكَ أَنْ تَقْتُلَنَا يَهُودُ.

(19) ـ الحُكْمُ فِي السَّحَرَةِ

4085 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا عَبَّادُ بْنُ مَيْسَرَةَ الْمَنْقَرِيُّ عَنِ الْحَسَنِ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ عَقَدَ عُقْدَةً ثُمَّ نَفَثَ فِيهَا فَقَدْ سَحَرَ، وَمَنْ سَحَرَ فَقَدْ أَشْرَكَ وَمَنْ تَعَلَّقَ شَيْئاً وُكِّلَ إِلَيْهِ».

(20) ـ سَحَرَةُ أَهْلِ الكِتَابِ

4086 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ عَنْ أَبِي مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنِ ابْنِ حَيَّانَ يَعْنِي يَزِيدَ عَنْ زَيْدِ بْنِ أَرْقَمَ قَالَ: سَحَرَ النَّبِيَّ ﷺ رَجُلٌ مِنَ الْيَهُودِ فَاشْتَكَى لِذٰلِكَ أَيَّاماً فَأَتَاهُ جِبْرِيلُ عَلَيْهِ السَّلاَمُ فَقَالَ: إِنَّ رَجُلاً مِنَ الْيَهُودِ سَحَرَكَ عَقَدَ لَكَ عُقَداً فِي بِئْرِ كَذَا وَكَذَا فَأَرْسَلَ رَسُولُ اللَّهِ ﷺ فَاسْتَخْرَجُوهَا فَجِيءَ بِهَا فَقَامَ رَسُولُ اللَّهِ ﷺ كَأَنَّمَا نُشِطَ مِنْ عِقَالٍ فَمَا ذَكَرَ ذٰلِكَ لِذٰلِكَ الْيَهُودِ وَلاَ رَآهُ فِي وَجْهِهِ قَطُّ.

(21) ـ ما يَفْعَلُ مَنْ تُعُرِّضَ لِمَالِهِ

4087 ـ أَخْبَرَنَا هَنَّادُ بْنُ السَّرِيِّ فِي حَدِيثِهِ عَنْ أَبِي الأَحْوَصِ عَنْ سِمَاكٍ عَنْ قَابُوسَ عَنْ أَبِيهِ قَالَ: جَاءَ رَجُلٌ إِلَى رَسُولِ اللَّهِ ﷺ ح. وَأَخْبَرَنِي عَلِيُّ بْنُ مُحَمَّدِ بْنِ عَلِيٍّ قَالَ: حَدَّثَنَا خَلَفُ بْنُ تَمِيمٍ قَالَ: حَدَّثَنَا أَبُو الأَحْوَصِ قَالَ: حَدَّثَنَا سِمَاكُ بْنُ حَرْبٍ عَنْ قَابُوسَ بْنِ مُخَارِقٍ عَنْ أَبِيهِ قَالَ: وَسَمِعْتُ سُفْيَانَ الثَّوْرِيَّ يُحَدِّثُ بِهٰذَا الْحَدِيثِ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: الرَّجُل يَأْتِينِي فَيُرِيدُ مَالِي؟ قَالَ: «ذَكِّرْهُ بِاللَّهِ» قَالَ: فَإِنْ لَمْ يَذَّكَّرْ؟ قَالَ: «فَاسْتَعِنْ عَلَيْهِ مَنْ حَوْلَكَ مِنَ الْمُسْلِمِينَ» قَالَ: فَإِنْ لَمْ يَكُنْ حَوْلِي أَحَدٌ مِنَ الْمُسْلِمِينَ؟ قَالَ: «فَاسْتَعِنْ عَلَيْهِ بِالسُّلْطَانِ» قَالَ: فَإِنْ نَأَى السُّلْطَانُ عَنِّي؟ قَالَ: «قَاتِلْ دُونَ مَالِكَ حَتَّى تَكُونَ مِنْ شُهَدَاءِ الآخِرَةِ أَوْ تَمْنَعَ مَالَكَ».

4088 ـ أَخْبَرَنَا قُتَيْبَةُ قَالَ: حَدَّثَنَا اللَّيْثُ عَنِ ابْنِ الْهَادِ عَنْ عَمْرِو بْنِ قُهَيْدٍ الْغِفَارِيِّ عَنْ أَبِي هُرَيْرَةَ قَالَ: جَاءَ رَجُلٌ إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ

and said: "O Messenger of Allah! What do you see (that I should do) if my property is attacked?" he said: "Beseech by Allah (the Muslims to support you, or the assailants to leave you)." He said: "Then, if they refused (to do so: what should I do?)" he said: "Beseech by Allah (the Muslims to support you, or the assailants to leave you)." He said: "Then, if they refused (to do so: what should I do?)" he said: "Beseech by Allah (the Muslims to support you, or the assailants to leave you)." He said: "Then, if they refused (to do so: what should I do?)" he said: "Then, fight in defense of your property: if you are killed, you will be in the Garden, and if you kill (your assailant, he) will be in the fire (of Hell)."

4089- It is narrated on the authority of Abu Hurairah that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! What do you see (that I should do) if my property is attacked?" he said: "Beseech by Allah (the Muslims to support you, or the assailants to leave you)." He said: "Then, if they refused (to do so: what should I do?)" he said: "Beseech by Allah (the Muslims to support you, or the assailants to leave you)." He said: "Then, if they refused (to do so: what should I do?)" he said: "Beseech by Allah (the Muslims to support you, or the assailants to leave you)." He said: "Then, if they refused (to do so: what should I do?)" he said: "Then, fight in defense of your property: if you are killed, you will be in the Garden, and if you kill (your assailant, he) will be in the fire (of Hell)."

[22] When One Is Killed In Defense Of His Property

4090- It is narrated on the authority of Abdullah Ibn Amr that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Whoever fights in defense of his property, whereupon he is killed, he is then a martyr."

4091- It is narrated on the authority of Abdullah Ibn Amr that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Whoever fights in defense of his property, whereupon he is killed, he is then a martyr."

4092- It is narrated on the authority of Abdullah Ibn Amr Ibn Al-As that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is wrongfully killed in defense of his property, the Garden is assured to him."

4093- It is narrated on the authority of Abdullah Ibn Amr that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is killed in defense of his property, he is then a martyr."

أَرَأَيْتَ إِنْ عُدِيَ عَلَى مَالِي؟ قَالَ: «**فَانْشُدْ بِاللَّهِ**». قَالَ: فَإِنْ أَبَوْا عَلَيَّ؟ قَالَ: «**فَانْشُدْ بِاللَّهِ**» قَالَ: فَإِنْ أَبَوْا عَلَيَّ؟ قَالَ: «**فَانْشُدْ بِاللَّهِ**» قَالَ: فَإِنْ أَبَوْا عَلَيَّ؟ قَالَ: «**فَقَاتِلْ فَإِنْ قُتِلْتَ فَفِي الْجَنَّةِ وَإِنْ قَتَلْتَ فَفِي النَّارِ**».

4089 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ عَنْ شُعَيْبِ بْنِ اللَّيْثِ قَالَ: أَنْبَأَنَا اللَّيْثُ عَنِ ٱبْنِ الْهَادِ عَنْ قُهَيْدِ بْنِ مُطَرِّفٍ الْغِفَارِيِّ عَنْ أَبِي هُرَيْرَةَ: أَنَّ رَجُلاً جَاءَ إِلَى رَسُولِ ٱللَّهِ ﷺ فَقَالَ: يَا رَسُولَ ٱللَّهِ أَرَأَيْتَ إِنْ عُدِيَ عَلَى مَالِي؟ قَالَ: «**فَانْشُدْ بِاللَّهِ**» قَالَ: فَإِنْ أَبَوْا عَلَيَّ؟ قَالَ: «**فَانْشُدْ بِاللَّهِ**» قَالَ: فَإِنْ أَبَوْا عَلَيَّ؟ قَالَ: «**فَانْشُدْ بِاللَّهِ**» قَالَ: فَإِنْ أَبَوْا عَلَيَّ؟ قَالَ: «**فَقَاتِلْ فَإِنْ قُتِلْتَ فَفِي الْجَنَّةِ وَإِنْ قَتَلْتَ فَفِي النَّارِ**».

(22) ـ مَنْ قُتِلَ دُونَ مَالِهِ

4090 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى قَالَ: حَدَّثَنَا خَالِدٌ قَالَ: حَدَّثَنَا حَاتِمٌ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**مَنْ قَاتَلَ دُونَ مَالِهِ فَقُتِلَ فَهُوَ شَهِيدٌ**».

4091 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ ٱللَّهِ بْنِ بَزِيعٍ قَالَ: حَدَّثَنَا بِشْرُ بْنُ الْمُفَضَّلِ عَنْ أَبِي يُونُسَ الْقُشَيْرِيِّ عَنْ عَمْرِو بْنِ دِينَارٍ عَنْ عَبْدِ ٱللَّهِ بْنِ صَفْوَانَ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «**مَنْ قَاتَلَ دُونَ مَالِهِ فَقُتِلَ فَهُوَ شَهِيدٌ**».

4092 ـ أَخْبَرَنِي عُبَيْدُ ٱللَّهِ بْنُ فُضَالَةَ بْنِ إِبْرَاهِيمَ النَّيْسَابُورِيُّ قَالَ: أَنْبَأَنَا عَبْدُ ٱللَّهِ قَالَ: حَدَّثَنَا سَعِيدٌ قَالَ: أَنْبَأَنَا أَبُو الأَسْوَدِ مُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ عَنْ عِكْرِمَةَ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**مَنْ قُتِلَ دُونَ مَالِهِ مَظْلُوماً فَلَهُ الجَنَّةُ**».

4093 ـ أَخْبَرَنَا جَعْفَرُ بْنُ مُحَمَّدِ بْنِ الْهُذَيْلِ قَالَ: حَدَّثَنَا عَاصِمُ بْنُ يُوسُفَ قَالَ: حَدَّثَنَا سُعَيْرُ بْنُ الْخِمْسِ عَنْ عَبْدِ ٱللَّهِ بْنِ الْحَسَنِ عَنْ عِكْرِمَةَ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ**».

4094- It is narrated on the authority of Abdullah Ibn Amr that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, whose property is going to be illegally usurped and he fights in defense of it, whereupon he is killed, he is then a martyr."

4095- It is narrated on the authority of Abdullah Ibn Amr that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is killed in defense of his property, he is then a martyr."

4096- It is narrated on the authority of Sa'id Ibn Zaid from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "Whoever is killed in defense of his property, he is then a martyr."

4097- It is narrated on the authority of Sa'id Ibn Zaid from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "Whoever fights (and is killed) in defense of his property, he is then a martyr."

4098- It is narrated on the authority of Sulaiman Ibn Buraidah from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is killed in defense of his property, he is then a martyr."

4099- It is narrated on the authority of Abu Ja'far that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is killed in defense of (what is usurped from him with) injustice, he is then a martyr."

[23] When One Fights In Defense Of His Family

4100- It is narrated on the authority of Sa'id Ibn Zaid from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "Whoever fights and is killed in defense of his property, he is then a martyr; and Whoever fights (and is killed) in defense of his blood, he is then a martyr; and Whoever fights (and is killed) in defense of his family, he is then a martyr."

[24] When One Fights In Defense Of His Religion

4101- It is narrated on the authority of Sa'id Ibn Zaid that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is killed in defense of his property, he is then a martyr; and Whoever is killed in defense of his family, he is then a martyr; and Whoever is killed in defense of his religion, he is then a martyr; and whoever is killed in defense of his blood, he is then a martyr."

4094 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا سُفْيَانُ قَالَ: حَدَّثَنِي عَبْدُ ٱللَّهِ بْنُ حَسَنٍ عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدِ بْنِ طَلْحَةَ أَنَّهُ سَمِعَ عَبْدَ ٱللَّهِ بْنَ عَمْرٍو يُحَدِّثُ عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ أُرِيدَ مَالُهُ بِغَيْرِ حَقٍّ فَقَاتَلَ فَقُتِلَ فَهُوَ شَهِيدٌ»** هٰذَا خَطَأٌ وَالصَّوَابُ حَدِيثُ سُعَيْرِ بْنِ الْخِمْسِ.

4095 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا مُعَاوِيَةُ بْنُ هِشَامٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَبْدِ ٱللَّهِ بْنِ الْحَسَنِ عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ بْنِ طَلْحَةَ عَنْ عَبْدِ ٱللَّهِ بْنِ عَمْرٍو قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ»**.

4096 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ وَقُتَيْبَةُ وَاللَّفْظُ لإِسْحَاقَ قَالاَ: أَنْبَأَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ عَنْ طَلْحَةَ بْنِ عَبْدِ ٱللَّهِ بْنِ عَوْفٍ عَنْ سَعِيدِ بْنِ زَيْدٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ»**.

4097 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدَةُ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ عَنِ الزُّهْرِيِّ عَنْ طَلْحَةَ بْنِ عَبْدِ ٱللَّهِ بْنِ عَوْفٍ عَنْ سَعِيدِ بْنِ زَيْدٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ قَاتَلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ»**.

4098 ـ أَخْبَرَنَا أَحْمَدُ بْنُ نَصْرٍ قَالَ: حَدَّثَنَا الْمُؤَمَّلُ عَنْ سُفْيَانَ عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ»**.

4099 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَلْقَمَةَ عَنْ أَبِي جَعْفَرٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ قُتِلَ دُونَ مَظْلَمَتِهِ فَهُوَ شَهِيدٌ»** قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: حَدِيثُ الْمُؤَمَّلِ خَطَأٌ وَالصَّوَابُ حَدِيثُ عَبْدِ الرَّحْمٰنِ.

(23) ـ مَنْ قَاتَلَ دُونَ أَهْلِهِ

4100 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ قَالَ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ عَنْ أَبِيهِ عَنْ أَبِي عُبَيْدَةَ بْنِ مُحَمَّدٍ عَنْ طَلْحَةَ بْنِ عَبْدِ ٱللَّهِ بْنِ عَوْفٍ عَنْ سَعِيدِ بْنِ زَيْدٍ عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ قَاتَلَ دُونَ مَالِهِ فَقُتِلَ فَهُوَ شَهِيدٌ وَمَنْ قَاتَلَ دُونَ دَمِهِ فَهُوَ شَهِيدٌ وَمَنْ قَاتَلَ دُونَ أَهْلِهِ فَهُوَ شَهِيدٌ»**.

(24) ـ مَنْ قَاتَلَ دُونَ دِينِهِ

4101 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالاَ: حَدَّثَنَا سُلَيْمَانُ يَعْنِي ٱبْنَ دَاوُدَ الْهَاشِمِيُّ قَالَ: حَدَّثَنَا إِبْرَاهِيمُ عَنْ أَبِيهِ عَنْ أَبِي عُبَيْدَةَ بْنِ مُحَمَّدِ بْنِ عَمَّارِ بْنِ يَاسِرٍ عَنْ طَلْحَةَ بْنِ عَبْدِ ٱللَّهِ بْنِ عَوْفٍ عَنْ سَعِيدِ بْنِ زَيْدٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ وَمَنْ قُتِلَ دُونَ أَهْلِهِ فَهُوَ شَهِيدٌ وَمَنْ قُتِلَ دُونَ دِينِهِ فَهُوَ شَهِيدٌ وَمَنْ قُتِلَ دُونَ دَمِهِ فَهُو شَهِيدٌ»**.

[25] When One Fights In Defense Of (What Is Usurped From Him With) Injustice

4102- It is narrated on the authority of Abu Ja'far that he said: I was sitting with Suwaid Ibn Muqarrin when he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is killed in defense of (what is usurped from him with) injustice, he is then a martyr."

[26] When One Unsheathes His Sword Therewith He Strikes People

4103- It is narrated on the authority of Ibn Az-Zubair that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who unsheathes his sword therewith he strikes the people, his blood becomes lawful (to be shed, with no retribution nor blood-money to be for him)."

4104- A Hadith like this is narrated on the authority of Abd Ar-Razzaq, through a similar chain of transmission.

4105- It is narrated on the authority of Ibn Az-Zubair that he said: "He, who raises the weapon therewith he strikes (the people), his blood becomes lawful (to be shed, with no retribution nor blood-money to be for him)."

4106- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who carries the weapon against us does not belong to us."

4107- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: While Ali Ibn Abu Talib was in Yemen, he sent a piece of gold in its ore to The Prophet "Allah's blessing and peace be upon him" who distributed it among four persons: Al-Aqra' Ibn Habis Al-Hanzali from the tribe of Mujashi', Uyainah Ibn Badr Al-Fazari, Zaid at-Ta'i who belonged to (the tribe of) Banu Nabhan, and Alqamah Ibn Ulathah Al-Amiri who belonged to (the tribe of) Banu Kilab. So the Quraish and the Ansar became angry and said: "He (the Prophet) gives the chiefs of Najd and does not give us." The Prophet "Allah's blessing and peace be upon him" said: "I give them so as to attract their hearts (to Islam)." Then a man with sunken eyes, prominent cheeks, a thick beard and a shaven head, came in front of The Prophet "Allah's blessing and peace be upon him" and said: "Fear Allah, O Muhammad!" The Prophet "Allah's blessing and peace be upon him" said: "Who would obey Allah if I disobeyed Him? (Is it fair that) Allah has entrusted all the people of the earth to me while you do not trust me?" Somebody from amongst the present people requested The Prophet "Allah's blessing and peace be upon him" to let him kill that man, but he prevented him. When the man left, The Prophet "Allah's blessing and peace be upon him" said: "From amongst the offspring of this man there will be some who

(25) ـ مَنْ قَاتَلَ دُونَ مَظْلَمَتِهِ

4102 ـ أَخْبَرَنَا الْقَاسِمُ بْنُ زَكَرِيَّا بْنِ دِينَارٍ قَالَ: حَدَّثَنَا سَعِيدُ بْنُ عَمْرٍو الأَشْعَثِيُّ قَالَ: حَدَّثَنَا عَبْثَرٌ عَنْ مُطَرِّفٍ عَنْ سَوَادَةَ بْنِ أَبِي الْجَعْدِ عَنْ أَبِي جَعْفَرٍ قَالَ: كُنْتُ جَالِساً عِنْدَ سُوَيْدِ بْنِ مُقَرِّنٍ فَقَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ قُتِلَ دُونَ مَظْلَمَتِهِ فَهُوَ شَهِيدٌ»**.

(26) ـ مَنْ شَهَرَ سَيْفَهُ ثُمَّ وَضَعَهُ فِي النَّاسِ

4103 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا الْفَضْلُ بْنُ مُوسَى قَالَ: حَدَّثَنَا مَعْمَرٌ عَنِ ٱبْنِ طَاوُسٍ عَنْ أَبِيهِ عَنِ ٱبْنِ الزُّبَيْرِ عَنْ رَسُولِ ٱللَّهِ ﷺ قَالَ: **«مَنْ شَهَرَ سَيْفَهُ ثُمَّ وَضَعَهُ فَدَمُهُ هَدَرٌ»**.

4104 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ بِهٰذَا الإِسْنَادِ مِثْلَهُ وَلَمْ يَرْفَعْهُ.

4105 ـ أَخْبَرَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا أَبُو عَاصِمٍ عَنِ ٱبْنِ جُرَيْجٍ عَنِ ٱبْنِ طَاوُسٍ عَنْ أَبِيهِ عَنِ ٱبْنِ الزُّبَيْرِ قَالَ: مَنْ رَفَعَ السِّلاَحَ ثُمَّ وَضَعَهُ فَدَمُهُ هَدَرٌ.

4106 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ قَالَ: أَنْبَأَنَا ٱبْنُ وَهْبٍ قَالَ: أَخْبَرَنِي مَالِكٌ وَعَبْدُ ٱللَّهِ بْنُ عُمَرَ وَأُسَامَةُ بْنُ زَيْدٍ وَيُونُسُ بْنُ يَزِيدَ أَنَّ نَافِعاً أَخْبَرَهُمْ عَنْ عَبْدِ ٱللَّهِ بْنِ عُمَرَ: أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَنْ حَمَلَ عَلَيْنَا السِّلاَحَ فَلَيْسَ مِنَّا»**.

4107 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا الثَّوْرِيُّ عَنْ أَبِيهِ عَنِ ٱبْنِ أَبِي نُعْمٍ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ: بَعَثَ عَلِيٌّ إِلَى النَّبِيِّ ﷺ وَهُوَ بِالْيَمَنِ بِذُهَيْبَةٍ فِي تُرْبَتِهَا فَقَسَمَهَا بَيْنَ الأَقْرَعِ بْنِ حَابِسٍ الْحَنْظَلِيِّ ثُمَّ أَحَدِ بَنِي مُجَاشِعٍ وَبَيْنَ عُيَيْنَةَ بْنِ بَدْرٍ الْفَزَارِيِّ وَبَيْنَ عَلْقَمَةَ بْنِ عُلاَثَةَ الْعَامِرِيِّ ثُمَّ أَحَدِ بَنِي كِلاَبٍ وَبَيْنَ زَيْدِ الْخَيْلِ الطَّائِيِّ ثُمَّ أَحَدِ بَنِي نَبْهَانَ قَالَ: فَغَضِبَتْ قُرَيْشٌ وَالأَنْصَارُ وَقَالُوا: يُعْطِي صَنَادِيدَ أَهْلِ نَجْدٍ وَيَدَعُنَا فَقَالَ: **«إِنَّمَا أَتَأَلَّفُهُمْ»** فَأَقْبَلَ رَجُلٌ غَائِرُ الْعَيْنَيْنِ نَاتِيءُ الْوَجْنَتَيْنِ كَثُّ اللِّحْيَةِ مَحْلُوقُ الرَّأْسِ فَقَالَ: يَا مُحَمَّدُ اتَّقِ ٱللَّهَ قَالَ: **«مَنْ يُطِعِ ٱللَّهَ إِذَا عَصَيْتُهُ؟ أَيَأْمَنُنِي عَلَى أَهْلِ الأَرْضِ وَلاَ تَأْمَنُونِي؟»**. فَسَأَلَ رَجُلٌ مِنَ الْقَوْمِ قَتْلَهُ فَمَنَعَهُ فَلَمَّا وَلَّى قَالَ: **«إِنَّ**

will recite the Qur'an but the Qur'an will not reach beyond their throats (i.e. they will recite like parrots and will not understand it nor act on its rules and principles), and they will renegade from the religion as an arrow goes through the game's body. They will kill the Muslims but will not disturb the idolaters If I should live up to their time' I will kill them as the people of Ad were killed (i.e. I will ruin them entirely)."

4108- It is narrated on the authority of Ali Ibn Abu Talib that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "Towards the end of this time there will appear some young foolish people who will use (in their claim) the best speech of all people (The Qur'an), and their faith will not go beyond their throats (because They will have practically no belief). They will abandon Islam as an arrow goes out through the game. So wherever you meet them, kill them, for he who kills them shall get a reward for that on the Day of Judgement."

4109- It is narrated on the authority of Sharik Ibn Shihab that he said: I had a wish to meet one of the companions of The Messenger of Allah "Allah's blessing and peace be upon him", in order to ask him about Khawarij (religious secessionists) and I met Abu Barzah among a group of his companions on an Id day thereupon I asked him: Have you heard The Messenger of Allah "Allah's blessing and peace be upon him" saying something pertaining to Khawarij (religious secessionists)? He said: Yes: I heard The Messenger of Allah "Allah's blessing and peace be upon him" with my ears, and saw him with my eyes. Once, some property was brought to The Messenger of Allah "Allah's blessing and peace be upon him" and he distributed it: he gave those on both his right and left sides, and he gave nothing to those who were behind him. A black man of shaven head with two white garments from those behind him stood up and said: "O Muhammad! You've not done justice in this distribution." On that The Messenger of Allah "Allah's blessing and peace be upon him" grew so much angry and said: "By Allah! You will never find, after me, anyone more fair and just than I." he further added: "Towards the end of the time, some people, and this man seems to be one of them, will appear, and they will recite the Qur'an but the Qur'an will not reach beyond their collar-bones(i.e. they will recite like parrots and will not understand it nor act on its rules and principles), and they will renegade from the religion as an arrow goes through the game's body; and shaving the head will be characteristic of them. They will keep appearing (from time to time) until the last of them will come out with Al-Masih Ad-Dajjal. Wherever (and whenever) you meet them, kill them for indeed, they are the worst of creatures."

مِنْ ضِئْضِىءِ هٰذَا قَوْماً يَخْرُجُونَ يَقْرَؤُونَ الْقُرْآنَ لاَ يُجَاوِزُ حَنَاجِرَهُمْ يَمْرُقُونَ مِنَ الدِّينِ مُرُوقَ السَّهْمِ مِنَ الرَّمِيَّةِ يَقْتُلُونَ أَهْلَ الإِسْلاَمِ وَيَدَعُونَ أَهْلَ الأَوْثَانِ لَئِنْ أَنَا أَدْرَكْتُهُمْ لأَقْتُلَنَّهُمْ قَتْلَ عَادٍ».

4108 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا سُفْيَانُ عَنِ الأَعْمَشِ عَنْ خَيْثَمَةَ عَنْ سُوَيْدِ بْنِ غَفَلَةَ عَنْ عَلِيٍّ قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: «يَخْرُجُ قَوْمٌ فِي آخِرِ الزَّمَانِ أَحْدَاثُ الأَسْنَانِ سُفَهَاءُ الأَحْلاَمِ يَقُولُونَ مِنْ خَيْرِ قَوْلِ الْبَرِيَّةِ لاَ يُجَاوِزُ إِيمَانُهُمْ حَنَاجِرَهُمْ يَمْرُقُونَ مِنَ الدِّينِ كَمَا يَمْرُقُ السَّهْمُ مِنَ الرَّمِيَّةِ فَإِذَا لَقِيتُمُوهُمْ فَاقْتُلُوهُمْ فَإِنَّ قَتْلَهُمْ أَجْرٌ لِمَنْ قَتَلَهُمْ يَوْمَ الْقِيَامَةِ».

4109 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ مَعْمَرٍ الْبَصْرِيُّ الْحَرَّانِيُّ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ الطَّيَالِسِيُّ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنِ الأَزْرَقِ بْنِ قَيْسٍ عَنْ شَرِيكِ بْنِ شِهَابٍ قَالَ: كُنْتُ أَتَمَنَّى أَنْ أَلْقَى رَجُلاً مِنْ أَصْحَابِ النَّبِيِّ ﷺ أَسْأَلُهُ عَنِ الْخَوَارِجِ فَلَقِيتُ أَبَا بَرْزَةَ فِي يَوْمِ عِيدٍ فِي نَفَرٍ مِنْ أَصْحَابِهِ فَقُلْتُ لَهُ: هَلْ سَمِعْتَ رَسُولَ ٱللَّهِ ﷺ يَذْكُرُ الْخَوَارِجَ؟ فَقَالَ: نَعَمْ سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ بِأُذُنِي وَرَأَيْتُهُ بِعَيْنِي أُتِيَ رَسُولُ ٱللَّهِ ﷺ بِمَالٍ فَقَسَمَهُ فَأَعْطَى مَنْ عَنْ يَمِينِهِ وَمَنْ عَنْ شِمَالِهِ وَلَمْ يَعْطِ مَنْ وَرَاءَهُ شَيْئاً فَقَامَ رَجُلٌ مِنْ وَرَائِهِ فَقَالَ: يَا مُحَمَّدُ مَا عَدَلْتَ فِي الْقِسْمَةِ رَجُلٌ أَسْوَدُ مَطْمُومُ الشَّعْرِ عَلَيْهِ ثَوْبَانِ أَبْيَضَانِ فَغَضِبَ رَسُولُ ٱللَّهِ ﷺ غَضَباً شَدِيداً وَقَالَ: «وَٱللَّهِ لاَ تَجِدُونَ بَعْدِي رَجُلاً هُوَ أَعْدَلُ مِنِّي» ثُمَّ قَالَ: «يَخْرُجُ فِي آخِرِ الزَّمَانِ قَوْمٌ كَأَنَّ هٰذَا مِنْهُمْ يَقْرَؤُونَ الْقُرْآنَ لاَ يُجَاوِزُ تَرَاقِيَهُمْ يَمْرُقُونَ مِنَ الإِسْلاَمِ كَمَا يَمْرُقُ السَّهْمُ مِنَ الرَّمِيَّةِ سِيمَاهُمُ التَّحْلِيقُ لاَ يَزَالُونَ يَخْرُجُونَ حَتَّى يَخْرُجَ آخِرُهُمْ مَعَ الْمَسِيحِ الدَّجَّالِ فَإِذَا لَقِيتُمُوهُمْ فَاقْتُلُوهُمْ هُمْ شَرُّ الْخَلْقِ وَالْخَلِيقَةِ».

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ رَحِمَهُ ٱللَّهُ: شَرِيكُ بْنُ شِهَابٍ لَيْسَ بِذٰلِكَ الْمَشْهُورِ.

[27] Fighting A Muslim

4110- It is narrated on the authority of Sa'd Ibn Abu Waqqas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Fighting a Muslim is (one of the deeds of those of) infidelity, and abusing him is (one of the deeds of those of) wickedness."

4111- It is narrated on the authority of Abdullah that he said: "Abusing a Muslim is (one of the deeds of those of) wickedness, and killing him is (one of the deeds of those of) infidelity."

4112- It is narrated on the authority of Abdullah that he said: "Abusing a Muslim is (one of the deeds of those of) wickedness, and killing him is (one of the deeds of those of) infidelity." Aban said: O Abu Ishaq! Have you heard that from none except Abu Al-Ahwas? He said: No, I have heard it also from Al-Aswad and Hubairah.

4113- It is narrated on the authority of Abdullah that he said: "Abusing a Muslim is (one of the deeds of those of) wickedness, and killing him is (one of the deeds of those of) infidelity."

4114- It is narrated on the authority of Abd Ar-Rahman Ibn Abdullah from his father that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Abusing a Muslim is (one of the deeds of those of) wickedness, and killing him is (one of the deeds of those of) infidelity."

4115- It is narrated on the authority of Shu'bah that he said: I said to Hammad: I heard Mansur, Sulaiman and Zubaid relating from Abu Wa'il from Abdullah that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Abusing a Muslim is (one of the deeds of those of) wickedness, and killing him is (one of the deeds of those of) infidelity." Whom then do you accuse? Do you accuse Mansur? Do you accuse Zubaid? Do you accuse Sulaiman? He said: No, but I accuse Abu Wa'il.

4116- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Abusing a Muslim is (one of the deeds of those of) wickedness, and killing him is (one of the deeds of those of) infidelity." I asked Abu Wa'il: Have you really heard that from Abdullah? He answered in the affirmative.

4117- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Abusing a Muslim is (one of the deeds of those of) wickedness, and killing him is (one of the deeds of those of) infidelity."

(27) ـ قِتَالُ المُسْلِمِ

4110 ـ أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَنْبَأَنَا عَبْدُ الرَّزَّاقِ قَالَ: حَدَّثَنَا مَعْمَرٌ عَنْ أَبِي إِسْحَاقَ عَنْ عَمْرِو بْنِ سَعْدٍ قَالَ: حَدَّثَنَا سَعْدُ بْنُ أَبِي وَقَّاصٍ أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**قِتَالُ الْمُسْلِمِ كُفْرٌ وَسِبَابُهُ فُسُوقٌ**».

4111 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ أَبِي إِسْحَاقَ قَالَ: سَمِعْتُ أَبَا الأَحْوَصِ عَنْ عَبْدِ ٱللَّهِ قَالَ: «سِبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ».

4112 ـ أَخْبَرَنَا يَحْيَى بْنُ حَكِيمٍ قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ عَنْ شُعْبَةَ عَنْ أَبِي إِسْحَاقَ عَنْ أَبِي الأَحْوَصِ عَنْ عَبْدِ ٱللَّهِ قَالَ: «سِبَابُ الْمُسْلِمِ فِسْقٌ وَقِتَالُهُ كُفْرٌ» فَقَالَ لَهُ أَبَانُ: يَا أَبَا إِسْحَاقَ أَمَا سَمِعْتَهُ إِلاَّ مِنْ أَبِي الأَحْوَصِ قَالَ: بَلْ سَمِعْتُهُ مِنَ الأَسْوَدِ وَهُبَيْرَةَ.

4113 ـ أَخْبَرَنَا أَحْمَدُ بْنُ حَرْبٍ قَالَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ أَبِي الزَّعْرَاءِ عَنْ عَمِّهِ أَبِي الأَحْوَصِ عَنْ عَبْدِ ٱللَّهِ قَالَ: «سِبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ».

4114 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا وَهْبُ بْنُ جَرِيرٍ قَالَ: حَدَّثَنَا أَبِي قَالَ: سَمِعْتُ عَبْدَ الْمَلِكِ بْنَ عُمَيْرٍ يُحَدِّثُهُ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَبْدِ ٱللَّهِ عَنْ أَبِيهِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**سِبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ**».

4115 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: قُلْتُ لِحَمَّادٍ: سَمِعْتُ مَنْصُوراً وَسُلَيْمَانَ وَزُبَيْداً يُحَدِّثُونَ عَنْ أَبِي وَائِلٍ عَنْ عَبْدِ ٱللَّهِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**سِبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ**» مَنْ تَتَّهِمُ؟ أَتَتَّهِمُ مَنْصُوراً؟ أَتَتَّهِمُ زُبَيْداً؟ أَتَتَّهِمُ سُلَيْمَانَ؟ قَالَ: لاَ وَلٰكِنِي أَتَّهِمُ أَبَا وَائِلٍ.

4116 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا وَكِيعٌ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ زُبَيْدٍ عَنْ أَبِي وَائِلٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**سِبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ**» قُلْتُ لأَبِي وَائِلٍ: سَمِعْتَهُ مِنْ عَبْدِ ٱللَّهِ؟ قَالَ: نَعَمْ.

4117 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا مُعَاوِيَةُ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ مَنْصُورٍ عَنْ أَبِي وَائِلٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: «**سِبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ**».

4118- It is narrated on the authority of Abu Wa'il that he said: Abdullah said: "Abusing a Muslim is (one of the deeds of those of) wickedness, and killing him is (one of the deeds of those of) infidelity."

4119- It is narrated on the authority of Abu Wa'il that he said: Abdullah said: "Fighting a faithful believer is (one of the deeds of those of) infidelity, and abusing him is (one of the deeds of those of) wickedness."

[28] the warning of fighting under a flag of fanaticism

4120- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who leaves the obedience (of the ruler on whom the group of Muslims are unanimously in agreement) and deviates from the group (of Muslims), and then he dies in such a state, he dies (in the same way (of perversity and stray) as the death of (those of) ignorance; and he, who rebels against my nation, and goes on striking its righteous and wicked indistinguishably, avoiding not its faithful believer, and fulfilling not the pledge of such as has pledge (of security), he does not belong to me; and he, who fights under a flag of fanaticism, calling for fanaticism, or growing angry only out of fanaticism, and then he is killed, he will be killed in the same way (of perversity and stray) as the killing of (those of) ignorance."

4121- It is narrated on the authority of Jundub Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: " He, who fights under a flag of fanaticism, fighting only out of fanaticism, growing angry only out of fanaticism, (and then he is killed), he will be killed in the same way (of perversity and stray) as the killing of (those of) ignorance."

[29] The Prohibition Of Murder

4122- It is narrated on the authority of Abu Bakrah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of the Muslims points to his Muslim brother with the weapon, both of them will have become on the rim of (the fire of) Hell; and if he kills him, both will fall into it."

4123- It is narrated on the authority of Abu Bakrah that he said: "If two of the Muslims carry the weapons against each other, both of them will have become on the rim of (the fire of) Hell; and if anyone of them kills the other, both will be in the fire (of Hell)."

4124- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If two

4118 ـ أَخْبَرَنَا قُتَيْبَةُ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مَنْصُورٍ عَنْ أَبِي وَائِلٍ قَالَ: قَالَ عَبْدُ ٱللَّهِ: «سِبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ».

4119 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ عَنْ أَبِي مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ شَقِيقٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: «قِتَالُ الْمُؤْمِنِ كُفْرٌ وَسِبَابُهُ فُسُوقٌ».

(28) ـ التَّغْلِيظُ فِيمَنْ قَاتَلَ تَحْتَ رَايَةٍ عُمِّيَّةٍ

4120 ـ أَخْبَرَنَا بِشْرُ بْنُ هِلاَلٍ الصَّوَّافُ قَالَ: حَدَّثَنَا عَبْدُ الْوَارِثِ قَالَ: حَدَّثَنَا أَيُّوبُ عَنْ غَيْلاَنَ بْنِ جَرِيرٍ عَنْ زِيَادِ بْنِ رَبَاحٍ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ خَرَجَ مِنَ الطَّاعَةِ وَفَارَقَ الجَمَاعَةَ فَمَاتَ مَاتَ مِيتَةً جَاهِلِيَّةً وَمَنْ خَرَجَ عَلَى أُمَّتِي يَضْرِبُ بَرَّهَا وَفَاجِرَهَا لاَ يَتَحَاشَى مِنْ مُؤْمِنِهَا وَلاَ يَفِي لِذِي عَهْدِهَا فَلَيْسَ مِنِّي وَمَنْ قَاتَلَ تَحْتَ رَايَةٍ عُمِّيَّةٍ يَدْعُو إِلَى عَصَبِيَّةٍ أَوْ يَغْضَبُ لِعَصَبِيَّةٍ فَقُتِلَ فَقِتْلَةٌ جَاهِلِيَّةٌ»**.

4121 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى عَنْ عَبْدِ الرَّحْمٰنِ قَالَ: حَدَّثَنَا عِمْرَانُ الْقَطَّانُ عَنْ قَتَادَةَ عَنْ أَبِي مِجْلَزٍ عَنْ جُنْدُبِ بْنِ عَبْدِ ٱللَّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«مَنْ قَاتَلَ تَحْتَ رَايَةٍ عُمِّيَّةٍ يُقَاتِلُ عَصَبِيَّةً وَيَغْضَبُ لِعَصَبِيَّةٍ فَقِتْلَتُهُ جَاهِلِيَّةٌ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: عِمْرَانُ الْقَطَّانُ لَيْسَ بِالْقَوِيِّ.

(29) ـ تَحْرِيمُ القَتْلِ

4122 ـ أَخْبَرَنَا مَحْمُودُ بْنُ غَيْلاَنَ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ عَنْ شُعْبَةَ قَالَ: أَخْبَرَنِي مَنْصُورٌ قَالَ: سَمِعْتُ رِبْعِيًّا يُحَدِّثُ عَنْ أَبِي بَكْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِذَا أَشَارَ الْمُسْلِمُ عَلَى أَخِيهِ الْمُسْلِمِ بِالسِّلاَحِ فَهُمَا عَلَى جُرُفِ جَهَنَّمَ فَإِذَا قَتَلَهُ خَرَّا جَمِيعاً فِيهَا»**.

4123 ـ أَخْبَرَنَا أَحْمَدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا يَعْلَى قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ مَنْصُورٍ عَنْ رِبْعِيٍّ عَنْ أَبِي بَكْرَةَ قَالَ: «إِذَا حَمَلَ الرَّجُلاَنِ الْمُسْلِمَانِ السِّلاَحَ أَحَدُهُمَا عَلَى الآخَرِ فَهُمَا عَلَى جُرُفِ جَهَنَّمَ فَإِذَا قَتَلَ أَحَدُهُمَا الآخَرَ فَهُمَا فِي النَّارِ».

4124 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ عَنْ يَزِيدَ عَنْ سُلَيْمَانَ التَّيْمِيِّ عَنِ الْحَسَنِ عَنْ أَبِي مُوسَى عَنِ النَّبِيِّ ﷺ قَالَ: **«إِذَا تَوَاجَهَ الْمُسْلِمَانِ بِسَيْفَيْهِمَا**

Muslims face each other with their swords, and one of them kills the other, both the killer and the killed will be in the fire (of Hell)." It was said: "O Messenger of Allah! This applies to the killer: what is wrong with the killed?" he said: "He had the intention to kill his companion."

4125- It is narrated on the authority of Abu Musa that The Messenger of Allah "Allah's blessing and peace be upon him" said: "If two Muslims face each other with their swords, and one of them kills the other, both the killer and the killed will be in the fire (of Hell)."

4126- It is narrated on the authority of Abu Bakrah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If two Muslims face each other with their swords, and each of them has the intention to kill his companion, (and one of them kills the other) both (the killer and the killed) will be in the fire (of Hell)." It was said: "O Messenger of Allah! This applies to the killer: what is wrong with the killed?" he said: "He was keen on killing his companion."

4127- It is narrated on the authority of Abu Bakrah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If two Muslims face each other with their swords, and one of them kills the other, both the killer and the killed will be in the fire (of Hell)."

4128- It is narrated on the authority of Abu Bakrah that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: "If two Muslims face each other with their swords, and one of them kills the other, both the killer and the killed will be in the fire (of Hell)." It was said: "O Messenger of Allah! This applies to the killer: what is wrong with the killed?" he said: "He had the intention to kill his companion."

4129- It is narrated on the authority of Abu Bakrah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If two Muslims face each other with their swords, and one of them kills the other, both the killer and the killed will be in the fire (of Hell)."

4130- It is narrated on the authority of Abu Musa Al-Ash'ari that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If two Muslims face each other with their swords, and one of them kills the other, both the killer and the killed will be in the fire (of Hell)." A man said: "O Messenger of Allah! This applies to the killer: what is wrong with the killed?" he said: "He had the intention to kill his companion."

4131- It is narrated on the authority of Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not revert to heathenism after me, striking the necks (and killing) each other."

فَقَتَلَ أَحَدُهُمَا صَاحِبَهُ فَهُمَا فِي النَّارِ» قِيلَ: يَا رَسُولَ ٱللَّهِ هٰذَا الْقَاتِلُ فَمَا بَالُ الْمَقْتُولِ؟ قَالَ: **«أَرَادَ قَتْلَ صَاحِبِهِ»**.

4125 ـ أَخْبَرَنِي مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ هَارُونَ قَالَ: أَنْبَأَنَا سَعِيدٌ عَنْ قَتَادَةَ عَنِ الْحَسَنِ عَنْ أَبِي مُوسَى الأَشْعَرِيِّ عَنِ النَّبِيِّ ﷺ قَالَ: **«إِذَا تَوَاجَهَ الْمُسْلِمَانِ بِسَيْفَيْهِمَا فَقَتَلَ أَحَدُهُمَا صَاحِبَهُ فَهُمَا فِي النَّارِ»** مِثْلَهُ سَوَاءً.

4126 ـ أَخْبَرَنَا عَلِيُّ بْنُ مُحَمَّدِ بْنِ عَلِيٍّ الْمِصِّيصِيُّ قَالَ: حَدَّثَنَا خَلَفٌ عَنْ زَائِدَةَ عَنْ هِشَامٍ عَنِ الْحَسَنِ عَنْ أَبِي بَكْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«إِذَا تَوَاجَهَ الْمُسْلِمَانِ بِسَيْفَيْهِمَا كُلُّ وَاحِدٍ مِنْهُمَا يُرِيدُ قَتْلَ صَاحِبِهِ فَهُمَا فِي النَّارِ»**. قِيلَ لَهُ: يَا رَسُولَ ٱللَّهِ هٰذَا الْقَاتِلُ فَمَا بَالُ الْمَقْتُولِ؟ قَالَ: **«إِنَّهُ كَانَ حَرِيصاً عَلَى قَتْلِ صَاحِبِهِ»**.

4127 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا الْخَلِيلُ بْنُ عُمَرَ بْنِ إِبْرَاهِيمَ قَالَ: حَدَّثَنِي أَبِي قَالَ: حَدَّثَنِي قَتَادَةُ عَنِ الْحَسَنِ عَنْ أَبِي بَكْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِذَا الْتَقَى الْمُسْلِمَانِ بِسَيْفَيْهِمَا فَقَتَلَ أَحَدُهُمَا صَاحِبَهُ فَالْقَاتِلُ وَالْمَقْتُولُ فِي النَّارِ»**.

4128 ـ أَخْبَرَنَا أَحْمَدُ بْنُ فَضَالَةَ قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ قَالَ: أَنْبَأَنَا مَعْمَرٌ عَنْ أَيُّوبَ عَنِ الْحَسَنِ عَنِ الأَحْنَفِ بْنِ قَيْسٍ عَنْ أَبِي بَكْرَةَ قَالَ: قَالَ: سَمِعْتُ رَسُولَ ٱللَّهِ ﷺ يَقُولُ: **«إِذَا تَوَاجَهَ الْمُسْلِمَانِ بِسَيْفَيْهِمَا فَقَتَلَ أَحَدُهُمَا صَاحِبَهُ فَالْقَاتِلُ وَالْمَقْتُولُ فِي النَّارِ»** قَالُوا: يَا رَسُولَ ٱللَّهِ هٰذَا الْقَاتِلُ فَمَا بَالُ الْمَقْتُولِ؟ قَالَ: **«إِنَّهُ أَرَادَ قَتْلَ صَاحِبِهِ»**.

4129 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَبْدَةَ عَنْ حَمَّادٍ عَنْ أَيُّوبَ وَيُونُسَ وَالْعَلاءِ بْنِ زِيَادٍ عَنِ الْحَسَنِ عَنِ الأَحْنَفِ بْنِ قَيْسٍ عَنْ أَبِي بَكْرَةَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِذَا ٱلْتَقَى الْمُسْلِمَانِ بِسَيْفَيْهِمَا فَقَتَلَ أَحَدُهُمَا صَاحِبَهُ فَالْقَاتِلُ وَالْمَقْتُولُ فِي النَّارِ»**.

4130 ـ أَخْبَرَنَا مُجَاهِدُ بْنُ مُوسَى قَالَ: حَدَّثَنَا إِسْمَاعِيلُ وَهُوَ ٱبْنُ عُلَيَّةَ عَنْ يُونُسَ عَنِ الْحَسَنِ عَنْ أَبِي مُوسَى الأَشْعَرِيِّ: أَنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: **«إِذَا تَوَاجَهَ الْمُسْلِمَانِ بِسَيْفَيْهِمَا فَقَتَلَ أَحَدُهُمَا صَاحِبَهُ فَالْقَاتِلُ وَالْمَقْتُولُ فِي النَّارِ»** قَالَ رَجُلٌ: يَا رَسُولَ ٱللَّهِ هٰذَا الْقَاتِلُ فَمَا بَالُ الْمَقْتُولِ؟ قَالَ: **«إِنَّهُ أَرَادَ قَتْلَ صَاحِبِهِ»**.

4131 ـ أَخْبَرَنَا أَحْمَدُ بْنُ عَبْدِ ٱللَّهِ بْنِ الْحَكَمِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ: حَدَّثَنَا شُعْبَةُ عَنْ وَاقِدِ بْنِ مُحَمَّدِ بْنِ زَيْدٍ أَنَّهُ سَمِعَ أَبَاهُ يُحَدِّثُ عَنِ ٱبْنِ عُمَرَ عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ تَرْجِعُوا بَعْدِي كُفَّاراً يَضْرِبُ بَعْضُكُمْ رِقَابَ بَعْضٍ»**.

4132- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not revert to heathenism after me, striking the necks (and killing) each other. No man should be punished just for the crime of his father, nor should he be for the crime of his brother."

4133- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not revert to heathenism after me, striking the necks (and killing) each other. No man should be punished just for the crime of his father, nor should he be for the crime of his brother."

4134- It is narrated on the authority of Masruq that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I do not like to see you having reverted to heathenism after me, striking the necks (and killing) each other. No man should be punished just for the crime of his father, nor should he be for the crime of his brother."

4135- It is narrated on the authority of Masruq that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not revert to heathenism after me."

4136- It is narrated on the authority of Abu Bakrah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not revert (from the truth) and go astray after me, striking the necks (and killing) each other."

4137- It is narrated on the authority of Jarir that The Messenger of Allah "Allah's blessing and peace be upon him" ordered that the people be silent during (his sermon in) the Farewell Hajj, in which he said: "Do not revert to heathenism after me, striking the necks (and killing) each other."

4138- It is narrated on the authority of Jarir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Tell the people to be silent." Then he said: "I do not like to see you having reverted to heathenism after me, striking the necks (and killing) each other."

4132 - أَخْبَرَنَا مُحَمَّدُ بْنُ رَافِعٍ قَالَ: حَدَّثَنَا أَبُو أَحْمَدَ الزُّبَيْرِيُّ قَالَ: حَدَّثَنَا شَرِيكٌ عَنِ الأَعْمَشِ عَنْ أَبِي الضُّحَى عَنْ مَسْرُوقٍ عَنِ ٱبْنِ عُمَرَ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ تَرْجِعُوا بَعْدِي كُفَّاراً يَضْرِبُ بَعْضُكُمْ رِقَابَ بَعْضٍ لاَ يُؤْخَذُ الرَّجُلُ بِجِنَايَةِ أَبِيهِ وَلاَ جِنَايَةِ أَخِيهِ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: هٰذَا خَطَأٌ وَالصَّوَابُ مُرْسَلٌ.

4133 - أَخْبَرَنَا إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ قَالَ: حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ عَنِ الأَعْمَشِ عَنْ مُسْلِمٍ عَنْ مَسْرُوقٍ عَنْ عَبْدِ ٱللَّهِ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ تَرْجِعُوا بَعْدِي كُفَّاراً يَضْرِبُ بَعْضُكُمْ رِقَابَ بَعْضٍ لاَ يُؤْخَذُ الرَّجُلُ بِجَرِيرَةِ أَبِيهِ وَلاَ بِجَرِيرَةِ أَخِيهِ»**.

4134 - أَخْبَرَنَا مُحَمَّدُ بْنُ الْعَلاَءِ قَالَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ عَنْ مُسْلِمٍ عَنْ مَسْرُوقٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ أُلْفِيَنَّكُمْ تَرْجِعُونَ بَعْدِي كُفَّاراً يَضْرِبُ بَعْضُكُمْ رِقَابَ بَعْضٍ لاَ يُؤْخَذُ الرَّجُلُ بِجَرِيرَةِ أَبِيهِ وَلاَ بِجَرِيرَةِ أَخِيهِ»** هٰذَا الصَّوَابُ.

4135 - أَخْبَرَنِي إِبْرَاهِيمُ بْنُ يَعْقُوبَ قَالَ: حَدَّثَنَا يَعْلَى قَالَ: حَدَّثَنَا الأَعْمَشُ عَنْ أَبِي الضُّحَى عَنْ مَسْرُوقٍ قَالَ: قَالَ رَسُولُ ٱللَّهِ ﷺ: **«لاَ تَرْجِعُوا بَعْدِي كُفَّاراً»** مُرْسَلٌ.

4136 - أَخْبَرَنَا عَمْرُو بْنُ زُرَارَةَ قَالَ: أَنْبَأَنَا إِسْمَاعِيلُ عَنْ أَيُّوبَ عَنْ مُحَمَّدِ بْنِ سِيرِينَ عَنْ أَبِي بَكْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ تَرْجِعُوا بَعْدِي ضُلاَّلاً يَضْرِبُ بَعْضُكُمْ رِقَابَ بَعْضٍ»**.

4137 - أَخْبَرَنَا مُحَمَّدُ بْنُ بَشَّارٍ قَالَ: حَدَّثَنَا مُحَمَّدٌ وَعَبْدُ الرَّحْمٰنِ قَالاَ: حَدَّثَنَا شُعْبَةُ عَنْ عَلِيِّ بْنِ مُدْرِكٍ قَالَ: سَمِعْتُ أَبَا زُرْعَةَ بْنَ عَمْرِو بْنِ جَرِيرٍ عَنْ جَرِيرٍ: أَنَّ رَسُولَ ٱللَّهِ ﷺ فِي حَجَّةِ الْوَدَاعِ ٱسْتَنْصَتَ النَّاسَ قَالَ: **«لاَ تَرْجِعُوا بَعْدِي كُفَّاراً يَضْرِبُ بَعْضُكُمْ رِقَابَ بَعْضٍ»**.

4138 - أَخْبَرَنَا أَبُو عُبَيْدَةَ بْنُ أَبِي السَّفَرِ قَالَ: حَدَّثَنَا عَبْدُ ٱللَّهِ بْنُ نُمَيْرٍ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ عَنْ قَيْسٍ قَالَ: بَلَغَنِي أَنَّ جَرِيرَ بْنَ عَبْدِ ٱللَّهِ قَالَ: قَالَ لِي رَسُولُ ٱللَّهِ ﷺ: **«ٱسْتَنْصِتِ النَّاسَ»** ثُمَّ قَالَ: **«لاَ أُلْفِيَنَّكُمْ بَعْدَ مَا أَرَى تَرْجِعُونَ بَعْدِي كُفَّاراً يَضْرِبُ بَعْضُكُمْ رِقَابَ بَعْضٍ»**.

(39) THE BOOK OF DISTRIBUTING FAI'

(the booty gained with no war, i.e. no cavalry nor camelry of the Muslims take part to get it, and in some cases, it is gained after the war is over. In this way, it is for all the Muslims in general, and no fifth should be reduced from it, nor should it be distributed in the same way of distributing the war spoils).

[1]

4139- It is narrated on the authority of Yazid Ibn Hurmuz that when Najdah Al-Haruri rebelled during the affliction of Ibn Az-Zubair, he sent to Ibn Abbas asking him about the share of the near relatives: "Whose is it in your sight?" he said: "It is for us, the near relatives of The Messenger of Allah "Allah's blessing and peace be upon him", to whom The Messenger of Allah "Allah's blessing and peace be upon him" assigned it. Umar suggested to give us something which we thought was lesser than our due right, thereupon we rejected it." Umar however suggested to help such as intends to marry among them, fulfill the debt of the debtor among them, and give the poor among them, and he rejected to give them more than that. (The share meant here is that referred to in Allah's statement: " And know that out of all the booty that you may acquire (in war), a fifth share is assigned to Allah, and to the Messenger, and to near relatives, orphans, the needy, and the wayfarer..." (Al-Anfal 41)

4140- It is narrated on the authority of Yazid Ibn Hurmuz that he said: Najdah sent a letter to Ibn Abbas, asking him about the share of the near relatives (from the war booty): "Whose is it?" Ibn Abbas sent a letter to him, and it is I who wrote the letter of Ibn Abbas to Najdah, in which he said: "You've sent a letter to me, asking me about the share of the near relatives (from the war booty): 'Whose is it?" of a surety, it is for us, the family of the house (of the Messenger of Allah). Umar invited us to help such as has no spouse among us remarry from it, to give the poor dependent among us from it, and fulfill the debt of the debtor among us from it, but we rejected unless he should hand it to us entirely, and when he rejected, we left it for him."

4141- It is narrated on the authority of Al-Awza'i that Umar Ibn Abd Al-Aziz sent a message to Umar Ibn Al-Walid in which he said: "The portion which your father (Al-Walid) has fixed for you according to which he has given you the whole fifth (of the war booty is wrongful) for the share of your father is no more than a share of everyone of the Muslims; and in that (fifth) there is the right of Allah, the right of the Messenger, the near relatives, the orphans, the indigent needy, the wayfarers. So, how many the foes of your father will be on the Day of Judgement! How should such as has a lot of foes

(39) ـ كِتَابُ قَسْمِ الفَيْءِ

(1) ـ [بابٌ]

4139 ـ أَخْبَرَنَا هَارُونُ بْنُ عَبْدِ ٱللَّهِ الْحَمَّالُ قَالَ: حَدَّثَنَا عُثْمَانُ بْنُ عُمَرَ عَنْ يُونُسَ بْنِ يَزِيدَ عَنِ الزُّهْرِيِّ عَنْ يَزِيدَ بْنِ هُرْمُزَ: أَنَّ نَجْدَةَ الْحَرُورِيَّ حِينَ خَرَجَ فِي فِتْنَةِ ٱبْنِ الزُّبَيْرِ أَرْسَلَ إِلَى ٱبْنِ عَبَّاسٍ يَسْأَلُهُ عَنْ سَهْمِ ذِي الْقُرْبَى لِمَنْ تُرَاهُ؟ قَالَ: هُوَ لَنَا لِقُرْبَى رَسُولِ ٱللَّهِ ﷺ قَسَمَهُ رَسُولُ ٱللَّهِ ﷺ لَهُمْ وَقَدْ كَانَ عُمَرُ عَرَضَ عَلَيْنَا شَيْئاً رَأَيْنَاهُ دُونَ حَقِّنَا فَأَبَيْنَا أَنْ نَقْبَلَهُ وَكَانَ الَّذِي عَرَضَ عَلَيْهِمْ أَنْ يُعِينَ نَاكِحَهُمْ وَيَقْضِيَ عَنْ غَارِمِهِمْ وَيُعْطِيَ فَقِيرَهُمْ وَأَبَى أَنْ يَزِيدَهُمْ عَلَى ذٰلِكَ.

4140 ـ أَخْبَرَنَا عَمْرُو بْنُ عَلِيٍّ قَالَ: حَدَّثَنَا يَزِيدُ وَهُوَ ٱبْنُ هَارُونَ قَالَ: أَنْبَأَنَا مُحَمَّدُ بْنُ إِسْحَاقَ عَنِ الزُّهْرِيِّ وَمُحَمَّدُ بْنُ عَلِيٍّ عَنْ يَزِيدَ بْنِ هُرْمُزَ قَالَ: كَتَبَ نَجْدَةُ إِلَى ٱبْنِ عَبَّاسٍ يَسْأَلُهُ عَنْ سَهْمِ ذِي الْقُرْبَى لِمَنْ هُوَ؟ قَالَ يَزِيدُ بْنُ هُرْمُزَ: وَأَنَا كَتَبْتُ كِتَابَ ٱبْنِ عَبَّاسٍ إِلَى نَجْدَةَ كَتَبْتُ إِلَيْهِ كَتَبْتَ تَسْأَلُنِي عَنْ سَهْمِ ذِي الْقُرْبَى لِمَنْ هُوَ وَهُوَ لَنَا أَهْلَ الْبَيْتِ وَقَدْ كَانَ عُمَرُ دَعَانَا إِلَى أَنْ يُنْكِحَ مِنْهُ أَيِّمَنَا وَيُحْذِيَ مِنْهُ عَائِلَنَا وَيَقْضِيَ مِنْهُ عَنْ غَارِمِنَا فَأَبَيْنَا إِلاَّ أَنْ يُسَلِّمَهُ لَنَا وَأَبَى ذٰلِكَ فَتَرَكْنَاهُ عَلَيْهِ.

4141 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى قَالَ: حَدَّثَنَا مَحْبُوبٌ يَعْنِي ٱبْنَ مُوسَى قَالَ: أَنْبَأَنَا أَبُو إِسْحَاقَ وَهُوَ الْفَزَارِيُّ عَنِ الأَوْزَاعِيِّ قَالَ: كَتَبَ عُمَرُ بْنُ عَبْدِ الْعَزِيزِ إِلَى عُمَرَ بْنِ الْوَلِيدِ كِتَاباً فِيهِ: وَقَسْمُ أَبِيكَ لَكَ الْخُمُسُ كُلُّهُ وَإِنَّمَا سَهْمُ أَبِيكَ كَسَهْمِ رَجُلٍ مِنَ الْمُسْلِمِينَ، وَفِيهِ حَقُّ ٱللَّهِ وَحَقُّ الرَّسُولِ وَذِي الْقُرْبَى وَالْيَتَامَى وَالْمَسَاكِينِ وَٱبْنِ السَّبِيلِ، فَمَا أَكْثَرَ خُصَمَاءَ أَبِيكَ يَوْمَ الْقِيَامَةِ فَكَيْفَ يَنْجُو مَنْ

be delivered? Furthermore, your adopting the musical instruments is, by all means, a religious heresy in Islam. I've intended to send to you such as cuts off your long forelock, the forelock of evil."

4142- It is narrated on the authority of Jubair Ibn Mut'im that he told that both he and Uthman Ibn Affan went to the Messenger of Allah "Allah's blessing and peace be upon him", to talk to him about his distributing one-fifth the booty of Hunain among Banu Hashim and Banu Al-Muttalib, sons of Abd Manaf, saying: "O Messenger of Allah! You have distributed it among our brothers from Banu Hashim and Banu Al-Muttalib, sons of Abd Manaf, and gave nothing to us, even though we (Banu Abd Shams) are of the same (degree of) kinship." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "I think it is Banu Hashim and Banu Al-Muttalib who are of the same (degree of kinship)." Jubair further said: the Messenger of Allah "Allah's blessing and peace be upon him" gave neither Banu Abd Shams nor Banu Nawfal anything from that one-fifth, as he gave Banu Hashim and Banu Al-Muttalib.

4143- It is narrated on the authority of Jubair Ibn Mut'im that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" distributed the share of his kinship among Banu Hashim and Banu Al-Muttalib, and assigned nothing to Banu Abd Shams and Banu Nawfal, I and Uthman Ibn Affan went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Those are our brethren from amongst Banu Hashim, and we do not deny their superiority in view of the position in which Allah Almighty has placed you from them: why have you given our brethren from Banu Al-Muttalib and left us, even though we all are of the same (degree of) kinship from you?" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "They (Banu Al-Muttalib) have not left me whether during the period of ignorance or Islam. Both Banu Hashim and Banu Al-Muttalib are of the same (kinship)." The Messenger of Allah "Allah's blessing and peace be upon him" then interlaced his fingers.

4144- It is narrated on the authority of Ubadah Ibn As-Samit that he said: When it was the day of (the holy battle of) Hunain, the Messenger of Allah "Allah's blessing and peace be upon him" took hold of a single hair from the side of a camel and said: "O people! Out of what Allah has bestowed upon you (from this booty), nothing, (even as little) as this (single hair) is lawful for me (to take) more than the fifth, and this fifth is brought back to you."

4145- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: the Messenger of Allah "Allah's blessing

كَثُرَتْ خُصَمَاؤُهُ وَإِظْهَارُكَ الْمَعَازِفَ وَالْمِزْمَارَ بِدْعَةٌ فِي الإِسْلاَمِ، وَلَقَدْ هَمَمْتُ أَنْ أَبْعَثَ إِلَيْكَ مَنْ يَجُزُّ جُمَّتَكَ جُمَّةَ السُّوءِ.

4142 ـ أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ عَبْدِ ٱللَّهِ بْنِ عَبْدِ الْحَكَمِ قَالَ: حَدَّثَنَا شُعَيْبُ بْنُ يَحْيَى قَالَ: حَدَّثَنَا نَافِعُ بْنُ يَزِيدَ عَنْ يُونُسَ بْنِ يَزِيدَ عَنِ ٱبْنِ شِهَابٍ قَالَ: أَخْبَرَنِي سَعِيدُ بْنُ الْمُسَيَّبِ أَنَّ جُبَيْرَ بْنَ مُطْعِمٍ حَدَّثَهُ: أَنَّهُ جَاءَ هُوَ وَعُثْمَانُ بْنُ عَفَّانَ رَسُولَ ٱللَّهِ ﷺ يُكَلِّمَانِهِ فِيمَا قَسَمَ مِنْ خُمُسِ حُنَيْنٍ بَيْنَ بَنِي هَاشِمٍ وَبَنِي الْمُطَّلِبِ بْنِ عَبْدِ مَنَافٍ فَقَالاَ: يَا رَسُولَ ٱللَّهِ قَسَمْتَ لإِخْوَانِنَا بَنِي الْمُطَّلِبِ بْنِ عَبْدِ مَنَافٍ وَلَمْ تُعْطِنَا شَيْئاً وَقَرَابَتُنَا مِثْلُ قَرَابَتِهِمْ فَقَالَ لَهُمَا رَسُولُ ٱللَّهِ ﷺ: **«إِنَّمَا أَرَى هَاشِماً وَالْمُطَّلِبَ شَيْئاً وَاحِداً»**. قَالَ جُبَيْرُ بْنُ مُطْعِمٍ وَلَمْ يَقْسِمْ رَسُولُ ٱللَّهِ ﷺ لِبَنِي عَبْدِ شَمْسٍ وَلاَ لِبَنِي نَوْفَلٍ مِنْ ذٰلِكَ الْخُمُسِ شَيْئاً كَمَا قَسَمَ لِبَنِي هَاشِمٍ وَبَنِي الْمُطَّلِبِ.

4143 ـ أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ قَالَ: أَنْبَأَنَا مُحَمَّدُ بْنُ إِسْحَاقَ عَنِ الزُّهْرِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ جُبَيْرِ بْنِ مُطْعِمٍ قَالَ: لَمَّا قَسَمَ رَسُولُ ٱللَّهِ ﷺ سَهْمَ ذِي الْقُرْبَى بَيْنَ بَنِي هَاشِمٍ وَبَنِي الْمُطَّلِبِ أَتَيْتُهُ أَنَا وَعُثْمَانُ بْنُ عَفَّانَ فَقُلْنَا: يَا رَسُولَ ٱللَّهِ هٰؤلاَءِ بَنُو هَاشِمٍ لاَ نُنْكِرُ فَضْلَهُمْ لِمَكَانِكَ الَّذِي جَعَلَكَ ٱللَّهُ بِهِ مِنْهُمْ أَرَأَيْتَ بَنِي الْمُطَّلِبِ أَعْطَيْتَهُمْ وَمَنَعْتَنَا فَإِنَّمَا نَحْنُ وَهُمْ مِنْكَ بِمَنْزِلَةٍ فَقَالَ رَسُولُ ٱللَّهِ ﷺ: **«إِنَّهُمْ لَمْ يُفَارِقُونِي فِي جَاهِلِيَّةٍ وَلاَ إِسْلاَمٍ إِنَّمَا بَنُو هَاشِمٍ وَبَنُو الْمُطَّلِبِ شَيْءٌ وَاحِدٌ»**. وَشَبَّكَ بَيْنَ أَصَابِعِهِ.

4144 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى بْنِ الْحَارِثِ قَالَ: حَدَّثَنَا مَحْبُوبٌ يَعْنِي ٱبْنَ مُوسَى قَالَ: أَنْبَأَنَا أَبُو إِسْحَاقَ وَهُوَ الْفَزَارِيُّ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَيَّاشٍ عَنْ سُلَيْمَانَ بْنِ مُوسَى عَنْ مَكْحُولٍ عَنْ أَبِي سَلاَّمٍ عَنْ أَبِي أُمَامَةَ الْبَاهِلِيِّ عَنْ عُبَادَةَ بْنِ الصَّامِتِ قَالَ: أَخَذَ رَسُولُ ٱللَّهِ ﷺ يَوْمَ حُنَيْنٍ وَبَرَةً مِنْ جَنْبِ بَعِيرٍ فَقَالَ: **«يَا أَيُّهَا النَّاسُ إِنَّهُ لاَ يَحِلُّ لِي مِمَّا أَفَاءَ ٱللَّهُ عَلَيْكُمْ قَدْرُ هٰذِهِ إِلاَّ الْخُمُسُ وَالْخُمُسُ مَرْدُودٌ عَلَيْكُمْ»**.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: ٱسْمُ أَبِي سَلاَّمٍ: مَمْطُورٌ وَهُوَ حَبَشِيٌّ، وَٱسْمُ أَبِي أُمَامَةَ: صُدَيُّ بْنُ عَجْلاَنَ وَٱللَّهُ تَعَالَى أَعْلَمُ.

4145 ـ أَخْبَرَنَا عَمْرُو بْنُ يَزِيدَ قَالَ: حَدَّثَنَا ٱبْنُ أَبِي عَدِيٍّ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ: أَنَّ رَسُولَ ٱللَّهِ ﷺ

and peace be upon him" came near a camel and took hold of a single hair between his fingers from its hump and said: "Nothing out of that booty, and not even this (single hair) is lawful for me (to take) more than the fifth, and this fifth is brought back to you."

4146- It is narrated on the authority of Malik Ibn Aws Ibn Al-Hadthan that Umar (Ibn Al-Khattab) said: The property of Banu An-Nadir which Allah bestowed upon His Apostle "Allah's blessing and peace be upon him" as Booty was not gained by the Muslims with their horses and camels (i.e. was not gained through war). He used to give his family their yearly expenditure from it, and spend what remained thereof on arms and horses to be used in Allah's Cause.

4147- It is narrated on the authority of A'ishah that Fatimah (daughter of the Prophet) sent to Abu Bakr (a message) asking him for her portion of the heritage left by the Messenger of Allah "Allah's blessing and peace be upon him", from (what she came to know later that he left to be given in) charity, as well as from the one-fifth the property of Khaibar. On that Abu Bakr said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "(The property of) us (assembly of Prophets) should not be inherited."

4148- It is narrated on the authority of Ata' pertaining to Allah's statement: " And know that out of all the booty that you may acquire (in war), a fifth share is assigned to Allah, and to the Messenger, to the near relatives...": It is the same one-fifth that belongs to Allah and His Messenger, out of which the Messenger of Allah "Allah's blessing and peace be upon him" used to pay the blood-money (of such of Muslims as has no wherewithal to do), give in charity, disposes of it in the very way and manner he liked, and do with it what he liked to do.

4149- It is narrated on the authority of Muslim Ibn Qais that he said: I asked Al-Hasan Ibn Muhammad about (the significance of) Allah's statement: " And know that out of all the booty that you may acquire (in war), a fifth share is assigned to Allah..." thereupon he said: "This is the beginning of Allah's speech, for indeed both the world and the hereafter (and what they contain, and not only one-fifth the booty) belong to Allah Almighty. He said: They differ about the way of distributing both shares after the death of the Messenger of Allah "Allah's blessing and peace be upon him", i.e. the share of the Messenger, and the share of the near relatives. One said: "The share of the Messenger of Allah "Allah's blessing and peace be upon him" should go to the caliph after him." Another one said: "The share of the near relatives should go to the kinship of the Messenger of Allah "Allah's blessing and peace be upon him"." A third one said: "The share of the near relatives

أَتَى بَعِيراً فَأَخَذَ مِنْ سَنَامِهِ وَبَرَةً بَيْنَ أَصْبَعَيْهِ ثُمَّ قَالَ: «**إِنَّهُ لَيْسَ لِي مِنَ الْفَيْءِ شَيْءٌ وَلاَ هٰذِهِ إِلاَّ الْخُمُسُ وَالْخُمُسُ مَرْدُودٌ فِيكُمْ**».

4146 ـ أَخْبَرَنَا عُبَيْدُ ٱللَّهِ بْنُ سَعِيدٍ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو يَعْنِي ٱبْنَ دِينَارٍ عَنِ الزُّهْرِيِّ عَنْ مَالِكِ بْنِ أَوْسِ بْنِ الْحَدَثَانِ عَنْ عُمَرَ قَالَ: كَانَتْ أَمْوَالُ بَنِي النَّضِيرِ مِمَّا أَفَاءَ ٱللَّهُ عَلَى رَسُولِهِ مِمَّا لَمْ يُوجِفِ الْمُسْلِمُونَ عَلَيْهِ بِخَيْلٍ وَلاَ رِكَابٍ فَكَانَ يُنْفِقُ عَلَى نَفْسِهِ مِنْهَا قُوتَ سَنَةٍ وَمَا بَقِيَ جَعَلَهُ فِي الْكُرَاعِ وَالسِّلاَحِ عُدَّةً فِي سَبِيلِ ٱللَّهِ.

4147 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى بْنِ الْحَارِثِ قَالَ: حَدَّثَنَا مَحْبُوبٌ يَعْنِي ٱبْنَ مُوسَى قَالَ: أَنْبَأَنَا أَبُو إِسْحَاقَ هُوَ الْفَزَارِيُّ عَنْ شُعَيْبِ بْنِ أَبِي حَمْزَةَ عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ عَنْ عَائِشَةَ: أَنَّ فَاطِمَةَ أَرْسَلَتْ إِلَى أَبِي بَكْرٍ تَسْأَلُهُ مِيرَاثَهَا مِنَ النَّبِيِّ ﷺ مِنْ صَدَقَتِهِ وَمِمَّا تَرَكَ مِنْ خُمُسِ خَيْبَرَ قَالَ أَبُو بَكْرٍ: إِنَّ رَسُولَ ٱللَّهِ ﷺ قَالَ: «**لاَ نُورَثُ**».

4148 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى قَالَ: حَدَّثَنَا مَحْبُوبٌ قَالَ: أَنْبَأَنَا أَبُو إِسْحَاقَ عَنْ زَائِدَةَ عَنْ عَبْدِ الْمَلِكِ بْنِ أَبِي سُلَيْمَانَ عَنْ عَطَاءٍ فِي قَوْلِهِ عَزَّ وَجَلَّ ﴿وَٱعْلَمُوٓاْ أَنَّمَا غَنِمْتُم مِّن شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُۥ وَلِلرَّسُولِ وَلِذِي ٱلْقُرْبَىٰ﴾ [الأنفال، الآية: 41] قَالَ: خُمُسُ ٱللَّهِ وَخُمُسُ رَسُولِهِ واحِدٌ. كَانَ رَسُولُ ٱللَّهِ ﷺ يَحْمِلُ مِنْهُ وَيُعْطِي مِنْهُ وَيَضَعُهُ حَيْثُ شَاءَ وَيَصْنَعُ بِهِ مَا شَاءَ.

4149 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى بْنِ الْحَارِثِ قَالَ: حَدَّثَنَا مَحْبُوبٌ يَعْنِي ٱبْنَ مُوسَى قَالَ: أَنْبَأَنَا أَبُو إِسْحَاقَ هُوَ الْفَزَارِيُّ عَنْ سُفْيَانَ عَنْ قَيْسِ بْنِ مُسْلِمٍ قَالَ: سَأَلْتُ الْحَسَنَ بْنَ مُحَمَّدٍ عَنْ قَوْلِهِ عَزَّ وَجَلَّ ﴿وَٱعْلَمُوٓاْ أَنَّمَا غَنِمْتُم مِّن شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُۥ﴾. قَالَ: هٰذَا مَفَاتِيحُ كَلاَمِ ٱللَّهِ الدُّنْيَا وَالآخِرَةُ لِلَّهِ قَالَ ٱخْتَلَفُوا فِي هٰذَيْنِ السَّهْمَيْنِ بَعْدَ وَفَاةِ رَسُولِ ٱللَّهِ ﷺ سَهْمِ الرَّسُولِ وَسَهْمِ ذِي الْقُرْبَى فَقَالَ قَائِلٌ: سَهْمُ الرَّسُولِ ﷺ لِلْخَلِيفَةِ مِنْ بَعْدِهِ وَقَالَ قَائِلٌ: سَهْمُ ذِي الْقُرْبَى لِقَرَابَةِ الرَّسُولِ ﷺ

should go to the kinship of the caliph." Lastly, they unanimously agreed upon assigning both shares to horses and war equipment in Allah's Cause. This remained during the caliphate of both Abu Bakr and Umar.

4150- It is narrated on the authority of Musa Ibn Abu A'ishah that he said: I asked Yahya Ibn Al-Jazzar about (the significance of) this Holy Verse: "And know that out of all the booty that you may acquire (in war), a fifth share is assigned to Allah, and to the Messenger..." saying: "How much was assigned to the Messenger of Allah "Allah's blessing and peace be upon him" out of that fifth?" he said: "One-fifth the fifth."

4151- It is narrated on the authority of Mutarrif that he said: Ash-Sha'bi was asked about the share assigned to the Messenger of Allah "Allah's blessing and peace be upon him" (other than the fifth), and the special share (he chose for himself), and he said: "As for the share assigned to the Messenger of Allah "Allah's blessing and peace be upon him", it was like the share of any Muslim; and as for the special share, it was a young slave, slave-girl, horse, camel, etc, to be chosen from such portion of the booty as he liked."

4152- It is narrated on the authority of Yazid Ibn Ash-Shakhir that he said: I was in the company of Mutarrif in the place of drying dates when a man came in, having a piece of red leather in his hand. He said: "This was written to me by the Messenger of Allah "Allah's blessing and peace be upon him": does anyone of you read?" I said: "I read." Behold! It had the following: "From Muhammad, the Messenger of Allah "Allah's blessing and peace be upon him", to the sons of Zuhair Ibn Uqaish that if they bear testimony to the fact that there is no god (to be worshipped) but Allah, and that Muhammad is the Messenger of Allah, leave the pagans, and pay one-fifth the booty, the share of the Messenger of Allah "Allah's blessing and peace be upon him", and the Prophet's special Chosen share, they then will have become safe with the safety of Allah and His Messenger."

4153- It is narrated on the authority of Mujahid that he said: As for the one-fifth assigned to Allah and His Messenger, it went to the Messenger of Allah "Allah's blessing and peace be upon him" and his kinship, who used not to eat the objects of charity. One-fifth the fifth was assigned to the Messenger of Allah "Allah's blessing and peace be upon him", one-fifth to his kinship, the like of that to the orphans, the like of that to the indigent needy, and the like of that to the wayfarers. Abu Abd Ar-Rahman says: Allah Almighty says: "And know that out of all the booty that you may acquire (in war), a fifth share is assigned to Allah, and to the Messenger, and to near relatives, orphans, the needy, and the wayfarer..." (Al-Anfal 41)

وَقَالَ قَائِلٌ: سَهْمُ ذِي الْقُرْبَى لِقَرَابَةِ الْخَلِيفَةِ فَأَجْتَمَعَ رَأْيُهُمْ عَلَى أَنْ جَعَلُوا هٰذَيْنِ السَّهْمَيْنِ فِي الْخَيْلِ وَالْعُدَّةِ فِي سَبِيلِ ٱللَّهِ فَكَانَا فِي ذٰلِكَ خِلاَفَةَ أَبِي بَكْرٍ وَعُمَرَ.

4150 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى بْنِ الْحَارِثِ قَالَ: حَدَّثَنَا مَحْبُوبٌ قَالَ: أَنْبَأَنَا أَبُو إِسْحَاقَ عَنْ مُوسَى بْنِ أَبِي عَائِشَةَ قَالَ: سَأَلْتُ يَحْيَى بْنَ الْجَزَّارِ عَنْ هٰذِهِ الآيَةِ ﴿وَٱعْلَمُوٓاْ أَنَّمَا غَنِمْتُم مِّن شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُۥ وَلِلرَّسُولِ﴾. قَالَ: قُلْتُ: كَمْ كَانَ لِلنَّبِيِّ ﷺ مِنَ الْخُمُسِ قَالَ: خُمُسُ الْخُمُسِ.

4151 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى بْنِ الْحَارِثِ قَالَ: حَدَّثَنَا مَحْبُوبٌ قَالَ: أَنْبَأَنَا أَبُو إِسْحَاقَ عَنْ مُطَرِّفٍ قَالَ: سُئِلَ الشَّعْبِيُّ عَنْ سَهْمِ النَّبِيِّ ﷺ وَصَفِيِّهِ فَقَالَ: أَمَّا سَهْمُ النَّبِيِّ ﷺ فَكَسَهْمِ رَجُلٍ مِنَ الْمُسْلِمِينَ وَأَمَّا سَهْمُ الصَّفِيِّ فَغُرَّةٌ تُخْتَارُ مِنْ أَيِّ شَيْءٍ شَاءَ.

4152 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى قَالَ: حَدَّثَنَا مَحْبُوبٌ قَالَ: أَنْبَأَنَا أَبُو إِسْحَاقَ عَنْ سَعِيدٍ الْجُرَيْرِيِّ عَنْ يَزِيدَ بْنِ الشِّخِّيرِ قَالَ: بَيْنَا أَنَا مَعَ مُطَرِّفٍ بِٱلْمِرْبَدِ إِذْ دَخَلَ رَجُلٌ مَعَهُ قِطْعَةُ أُدْمٍ قَالَ: كَتَبَ لِي هٰذِهِ رَسُولُ ٱللَّهِ ﷺ فَهَلْ أَحَدٌ مِنْكُمْ يَقْرَأُ؟ قَالَ: قُلْتُ: أَنَا أَقْرَأُ فَإِذَا فِيهَا مِنْ مُحَمَّدٍ النَّبِيِّ ﷺ لِبَنِي زُهَيْرِ بْنِ أُقَيْشٍ أَنَّهُمْ إِنْ شَهِدُوا أَنْ لاَ إِلٰهَ إِلاَّ ٱللَّهُ وَأَنَّ مُحَمَّداً رَسُولُ ٱللَّهِ وَفَارَقُوا الْمُشْرِكِينَ وَأَقَرُّوا بِٱلْخُمُسِ فِي غَنَائِمِهِمْ وَسَهْمِ النَّبِيِّ ﷺ وَصَفِيِّهِ فَإِنَّهُمْ آمِنُونَ بِأَمَانِ ٱللَّهِ وَرَسُولِهِ.

4153 ـ أَخْبَرَنَا عَمْرُو بْنُ يَحْيَى بْنِ الْحَارِثِ قَالَ: أَنْبَأَنَا مَحْبُوبٌ قَالَ: أَنْبَأَنَا أَبُو إِسْحَاقَ عَنْ شَرِيكٍ عَنْ خُصَيْفٍ عَنْ مُجَاهِدٍ قَالَ: الْخُمُسُ الَّذِي لِلَّهِ وَلِلرَّسُولِ كَانَ لِلنَّبِيِّ ﷺ وَقَرَابَتِهِ لاَ يَأْكُلُونَ مِنَ الصَّدَقَةِ شَيْئاً فَكَانَ لِلنَّبِيِّ ﷺ خُمُسُ الْخُمُسِ، وَلِذِي قَرَابَتِهِ خُمُسُ الْخُمُسِ، وَلِلْيَتَامَى مِثْلُ ذٰلِكَ، وَلِلْمَسَاكِينِ مِثْلُ ذٰلِكَ، وَلاِبْنِ السَّبِيلِ مِثْلُ ذٰلِكَ.

قَالَ أَبُو عَبْدِ الرَّحْمٰنِ: قَالَ ٱللَّهُ جَلَّ ثَنَاؤُهُ ﴿وَٱعْلَمُوٓاْ أَنَّمَا غَنِمْتُم مِّن شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُۥ وَلِلرَّسُولِ وَلِذِى ٱلْقُرْبَىٰ وَٱلْيَتَٰمَىٰ وَٱلْمَسَٰكِينِ وَٱبْنِ ٱلسَّبِيلِ﴾. وَقَوْلُهُ عَزَّ وَجَلَّ: ﴿لِلَّهِ﴾.

Allah's phrase "to Allah" is a beginning of His speech, for indeed all things belong to Allah Almighty (and not only this fifth). The reason why He Almighty commences His speech of the booty (that is gained with no war) and the one-fifth by making a mention of His Name seems to be for the fact that this booty is the best of earnings. On the other hand, He Almighty does not ascribe the objects of charity to Himself because they are the impurities of the property of people; and Allah Almighty knows better. It is said that something should be taken out of the booty and placed in the Ka'bah, i.e. the share that belongs to Allah Almighty. The share of the Messenger of Allah "Allah's blessing and peace be upon him" goes to the imam (the ruler), from which he buys horses and war equipment (to be used in Allah's Cause), and give such as he sees as of benefit and advantage for Islam, in addition to those of Hadith, religious knowledge and jurisprudence, and Qur'an. There is also another share to the near relatives, and those comprise the offspring of both Hashim and Al-Muttalib, including the rich and the poor among them. It is said that it should be given to the poor among them in particular apart from the rich, such as the orphans and the wayfarers, and this is more right in my sight; and Allah Almighty knows better. This applies equally to the young and the old, the male and the female among them, for Allah Almighty has assigned it to them, and the Messenger of Allah "Allah's blessing and peace be upon him" distributed it among them. The narration gives no reference to the fact that he gave preference to any of them over the other. Furthermore, to my knowledge, there is no difference among the religious scholars that if one make a bequest of one-third of his property to be given to the offspring of so and so, it should be distributed among them, and both their male and female are equal in that respect, if they are to be reckoned. In this way, anything that is bequeathed to be given to the offspring of so and so, should be distributed among them equally, unless otherwise it is mentioned; and Allah is the Helper of success. Another share should go to the orphans among the Muslims, and a certain share should go to the indigent and needy among the Muslims, and a share should go to the wayfarers among the Muslims. But, none of them should be given both shares, say, of the indigent needy and the wayfarer, or made to choose such of them as he likes. As for the remaining four fifths, they should be distributed by the ruler among those who take part in the fight from the adult Muslims.

4154- It is narrated on the authority of Malik Ibn Aws Ibn Al-Hadathan that he said: both Al-Abbas and Ali came as foes to Umar in order to judge between them. Al-Abbas said to him: "Judge between me and this (Ali)!" the present people said: "Give each portion separately." On that he said: "I'm not

ٱبْتِدَاءُ كَلاَمٍ لأَنَّ الأَشْيَاءَ كُلَّهَا لِلَّهِ عَزَّ وَجَلَّ وَلَعَلَّهُ إِنَّمَا ٱسْتَفْتَحَ الْكَلاَمَ فِي الْفَيْءِ وَالْخُمُسِ بِذِكْرِ نَفْسِهِ لأَنَّهَا أَشْرَفُ الْكَسْبِ وَلَمْ يَنْسُبِ الصَّدَقَةَ إِلَى نَفْسِهِ عَزَّ وَجَلَّ لأَنَّهَا أَوْسَاخُ النَّاسِ وَٱللَّهُ تَعَالَى أَعْلَمُ.

وَقَدْ قِيلَ: يُؤْخَذُ مِنَ الْغَنِيمَةِ شَيْءٌ فَيُجْعَلُ فِي الْكَعْبَةِ وَهُوَ السَّهْمُ الَّذِي لِلَّهِ عَزَّ وَجَلَّ وَسَهْمُ النَّبِيِّ ﷺ إِلَى الإِمَامِ يَشْتَرِي الْكُرَاعَ مِنْهُ وَالسِّلاَحَ وَيُعْطِي مِنْهُ مَنْ رَأَى مِمَّنْ رَأَى فِيهِ غَنَاءً وَمَنْفَعَةً لأَهْلِ الإِسْلاَمِ وَمِنْ أَهْلِ الْحَدِيثِ وَالعِلْمِ وَالْفِقْهِ وَالْقُرْآنِ وَسَهْمٌ لِذِي الْقُرْبَى وَهُمْ بَنُو هَاشِمٍ وَبَنُو الْمُطَّلِبِ بَيْنَهُمُ الْغَنِيُّ مِنْهُمْ وَالْفَقِيرُ وَقَدْ قِيلَ: إِنَّهُ لِلْفَقِيرِ مِنْهُمْ دُونَ الْغَنِيِّ كَالْيَتَامَى وَٱبْنِ السَّبِيلِ وَهُوَ أَشْبَهُ الْقَوْلَيْنِ بِالصَّوَابِ عِنْدِي وَٱللَّهُ تَعَالَى أَعْلَمُ وَالصَّغِيرُ وَالْكَبِيرُ وَالذَّكَرُ وَالأُنْثَى سَوَاءٌ لأَنَّ ٱللَّهَ عَزَّ وَجَلَّ جَعَلَ ذٰلِكَ لَهُمْ وَقَسَّمَهُ رَسُولُ ٱللَّهِ ﷺ فِيهِمْ وَلَيْسَ فِي الْحَدِيثِ أَنَّهُ فَضَّلَ بَعْضَهُمْ عَلَى بَعْضٍ وَلاَ خِلاَفَ نَعْلَمُهُ بَيْنَ الْعُلَمَاءِ فِي رَجُلٍ لَوْ أَوْصَى بِثُلُثِهِ لِبَنِي فُلاَنٍ أَنَّهُ بَيْنَهُمْ وَأَنَّ الذَّكَرَ والأُنْثَى فِيهِ سَوَاءٌ إِذَا كَانُوا يُحْصَوْنَ فَهَكَذَا كُلُّ شَيْءٍ صُيِّرَ لِبَنِي فُلاَنٍ أَنَّهُ بَيْنَهُمْ بِالسَّوِيَّةِ إِلاَّ أَنْ يُبَيِّنَ ذٰلِكَ الآمِرُ بِهِ وَٱللَّهُ وَلِيُّ التَّوْفِيقِ وَسَهْمٌ لِلْيَتَامَى مِنَ الْمُسْلِمِينَ وَسَهْمٌ لِلْمَسَاكِينِ مِنَ الْمُسْلِمِينَ وَسَهْمٌ لاِبْنِ السَّبِيلِ مِنَ الْمُسْلِمِينَ وَلاَ يُعْطَى أَحَدٌ مِنْهُمْ سَهْمَ مِسْكِينٍ وَسَهْمَ ٱبْنُ السَّبِيلِ وَقِيلَ لَهُ خُذْ أَيَّهُمَا شِئْتَ وَالأَرْبَعَةُ أَخْمَاسٍ يَقْسِمُهَا الإِمَامُ بَيْنَ مَنْ حَضَرَ الْقِتَالَ مِنَ الْمُسْلِمِينَ الْبَالِغِينَ.

4154 ـ أَخْبَرَنَا عَلِيُّ بْنُ حُجْرٍ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ يَعْنِي ٱبْنَ إِبْرَاهِيمَ عَنْ أَيُّوبَ عَنْ عِكْرِمَةَ بْنِ خَالِدٍ عَنْ مَالِكِ بْنِ أَوْسِ بْنِ الْحَدَثَانِ قَالَ: جَاءَ الْعَبَّاسُ وَعَلِيٌّ إِلَى عُمَرَ يَخْتَصِمَانِ فَقَالَ الْعَبَّاسُ: ٱقْضِ بَيْنِي وَبَيْنَ هٰذَا فَقَالَ النَّاسُ: ٱفْصِلْ بَيْنَهُمَا فَقَالَ عُمَرُ: لاَ أَفْصِلُ بَيْنَهُمَا قَدْ عَلِمَا أَنَّ

to give each his portion separately. They both know for certain that the Messenger of Allah "Allah's blessing and peace be upon him" said: "(The property of) us (assembly of Prophets) should not be inherited; and what we leave should be given in charity." When the Messenger of Allah "Allah's blessing and peace be upon him" managed it, he gave his family their yearly spending, and disposed of the rest as he disposed of the property in general. Then, Abu Bakr managed it after him, and I managed it after Abu Bakr, and did with it the same as he (the Prophet) used to do. Then, both (Abbas and Ali) came to me, and asked me to hand it to them, on the condition that they should manage it in the same way as the Messenger of Allah "Allah's blessing and peace be upon him" then Abu Bakr and then I used to manage it, and I gave it to them on that condition, and took from them Allah's pledge (to do so). Later they came to me and one of them (Abbas) said: "Give me my portion (from the property of) my nephew separately!" the other (Ali) said: "Give me my portion (from the property of) my wife (as her heritage from her father)." If they like that I should hand it to them on the condition to manage it in the very way in which the Messenger of Allah "Allah's blessing and peace be upon him", then Abu Bakr and then I managed it, I'm ready to do so; and if they reject, let them be sufficed (the burden of managing it)." Then he recited: " And know that out of all the booty that you may acquire (in war), a fifth share is assigned to Allah, and to the Messenger, and to near relatives, orphans, the needy, and the wayfarer" (Al-Anfal 41) and said: "This is assigned for those (mentioned here)." He further says: " Alms are for the poor and the needy, and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to the truth); for those in bondage and in debt; in the cause of Allah; and for the wayfarer." (At-Tawbah 60) he said: "This is assigned for these (referred to here)." But " What Allah has bestowed on His Messenger (and taken away) from them, for this you made no expedition with either cavalry or camelry": it belongs to the Messenger of Allah "Allah's blessing and peace be upon him" in particular, including such Arab towns as Fadak and the like of it. As for the following statement " What Allah has bestowed on His Messenger (and taken away) from the people of the townships, belongs to Allah, to His Messenger and to kindred and orphans, the needy and the wayfarer...(Some part is due) to the indigent Muhajirs, those who were expelled from their homes and their property...and those who, before them, had homes (in Medina) and had adopted the Faith... And those who came after them" it implies all of the people, to the extent that there remains none from amongst the Muslims, but he has a right or a portion in that property, barring such of your slaves as your right hands possess; and if I live more, Allah Willing, the right or the portion of everyone will be given to him."

رَسُولَ ٱللَّهِ ﷺ قَالَ: «لاَ نُورَثُ مَا تَرَكْنَا صَدَقَةٌ» قَالَ: فَقَالَ الزُّهْرِيُّ: وَلِيَهَا رَسُولُ ٱللَّهِ ﷺ فَأَخَذَ مِنْهَا قُوتَ أَهْلِهِ وَجَعَلَ سَائِرَهُ سَبِيلَهُ سَبِيلَ الْمَالِ ثُمَّ وَلِيَهَا أَبُو بَكْرٍ بَعْدَهُ ثُمَّ وُلِّيتُهَا بَعْدَ أَبِي بَكْرٍ فَصَنَعْتُ فِيهَا الَّذِي كَانَ يَصْنَعُ ثُمَّ أَتَيَانِي فَسَأَلاَنِي أَنْ أَدْفَعَهَا إِلَيْهِمَا عَلَى أَنْ يَلِيَاهَا بِالَّذِي وَلِيَهَا بِهِ رَسُولُ ٱللَّهِ ﷺ وَالَّذِي وَلِيَهَا بِهِ أَبُو بَكْرٍ والَّذِي وُلِّيتُهَا بِهِ فَدَفَعْتُهَا إِلَيْهِمَا وَأَخَذْتُ عَلَى ذٰلِكَ عُهُودَهُمَا ثُمَّ أَتَيَانِي يَقُولُ هٰذَا اقْسِمْ لِي بِنَصِيبِي مِنَ ٱبْنِ أَخِي وَيَقُولُ هٰذَا ٱقْسِمْ لِي بِنَصِيبِي مِنَ ٱمْرَأَتِي وَإِنْ شَاءَا أَنْ أَدْفَعَهَا إِلَيْهِمَا عَلَى أَنْ يَلِيَاهَا بِالَّذِي وَلِيَهَا بِهِ رَسُولُ ٱللَّهِ ﷺ وَالَّذِي وَلِيَهَا بِهِ أَبُو بَكْرٍ وَالَّذِي وُلِّيتُهَا بِهِ دَفَعْتُهَا إِلَيْهِمَا وَإِنْ أَبَيَا كُفِيَا ذٰلِكَ ثُمَّ قَالَ: ﴿وَٱعْلَمُوٓا۟ أَنَّمَا غَنِمْتُم مِّن شَىْءٍ فَأَنَّ لِلَّهِ خُمُسَهُۥ وَلِلرَّسُولِ وَلِذِى ٱلْقُرْبَىٰ وَٱلْيَتَٰمَىٰ وَٱلْمَسَٰكِينِ وَٱبْنِ ٱلسَّبِيلِ﴾. هٰذَا لِهٰؤُلاَءِ ﴿إِنَّمَا ٱلصَّدَقَٰتُ لِلْفُقَرَآءِ وَٱلْمَسَٰكِينِ وَٱلْعَٰمِلِينَ عَلَيْهَا وَٱلْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِى ٱلرِّقَابِ وَٱلْغَٰرِمِينَ وَفِى سَبِيلِ ٱللَّهِ﴾ [التوبة، الآية: 60]. هٰذِهِ لِهٰؤُلاَءِ ﴿وَمَآ أَفَآءَ ٱللَّهُ عَلَىٰ رَسُولِهِۦ مِنْهُمْ فَمَآ أَوْجَفْتُمْ عَلَيْهِ مِنْ خَيْلٍ وَلَا رِكَابٍ﴾ [الحشر، الآية: 6] قَالَ الزُّهْرِيُّ: هٰذِهِ لِرَسُولِ ٱللَّهِ ﷺ خَاصَّةً قُرًى عَرَبِيَّةٌ فَدَكُ كَذَا وَكَذَا ﴿مَّآ أَفَآءَ ٱللَّهُ عَلَىٰ رَسُولِهِۦ مِنْ أَهْلِ ٱلْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِى ٱلْقُرْبَىٰ وَٱلْيَتَٰمَىٰ وَٱلْمَسَٰكِينِ وَٱبْنِ ٱلسَّبِيلِ كَىْ لَا يَكُونَ دُولَةًۢ بَيْنَ ٱلْأَغْنِيَآءِ مِنكُمْ ۚ وَمَآ ءَاتَىٰكُمُ ٱلرَّسُولُ فَخُذُوهُ وَمَا نَهَىٰكُمْ عَنْهُ فَٱنتَهُوا۟ ۚ وَٱتَّقُوا۟ ٱللَّهَ ۖ إِنَّ ٱللَّهَ شَدِيدُ ٱلْعِقَابِ ۝٧ لِلْفُقَرَآءِ ٱلْمُهَٰجِرِينَ ٱلَّذِينَ أُخْرِجُوا۟ مِن دِيَٰرِهِمْ وَأَمْوَٰلِهِمْ يَبْتَغُونَ فَضْلًا مِّنَ ٱللَّهِ وَرِضْوَٰنًا وَيَنصُرُونَ ٱللَّهَ وَرَسُولَهُۥٓ ۚ أُو۟لَٰٓئِكَ هُمُ ٱلصَّٰدِقُونَ ۝٨ وَٱلَّذِينَ تَبَوَّءُو ٱلدَّارَ وَٱلْإِيمَٰنَ مِن قَبْلِهِمْ يُحِبُّونَ مَنْ هَاجَرَ إِلَيْهِمْ وَلَا يَجِدُونَ فِى صُدُورِهِمْ حَاجَةً مِّمَّآ أُوتُوا۟ وَيُؤْثِرُونَ عَلَىٰٓ أَنفُسِهِمْ وَلَوْ كَانَ بِهِمْ خَصَاصَةٌ ۚ وَمَن يُوقَ شُحَّ نَفْسِهِۦ فَأُو۟لَٰٓئِكَ هُمُ ٱلْمُفْلِحُونَ ۝٩ وَٱلَّذِينَ جَآءُو مِنۢ بَعْدِهِمْ﴾ [الحشر، الآيات: 7 - 10] فَٱسْتَوْعَبَتْ هٰذِهِ الآيَةُ النَّاسَ فَلَمْ يَبْقَ أَحَدٌ مِنَ الْمُسْلِمِينَ إِلاَّ لَهُ فِي هٰذَا الْمَالِ حَقٌّ أَو قَالَ: حَظٌّ إِلاَّ بَعْضَ مَنْ تَمْلِكُونَ مِنْ أَرِقَّائِكُمْ وَلَئِنْ عِشْتُ إِنْ شَاءَ ٱللَّهُ لَيَأْتِيَنَّ عَلَى كُلِّ مُسْلِمٍ حَقُّهُ أَوْ قَالَ: حَظُّهُ.

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